

INVESTIGATIVE CONTROL SHEET

(Rev. 02/03)

Type of Investigation: <input type="checkbox"/> Proactive <input type="checkbox"/> PI <input checked="" type="checkbox"/> Case	Special Agent: [REDACTED] Office: Denver, CO
Case No.: 2005-8004 Assn. No.: 2005-1099	Cooperating Agent/Agency: EPA CID, Washington, DC
Subject/Title: DISTRICT OF COLUMBIA, WATER AND SEWER AUTHORITY (WASA)	Subject Address: 301 Bryant Street, NW Washington, DC 20001
EPA Position/Grade: N/A	EPA Program Office: Water
EPA Office Location: N/A	Budget Code: 27
Date Assigned: May 23, 2005	Case Code: 206
Date Opened: May 24, 2005	Case Category: Laboratory Fraud
Earliest Statute of Limitations Date: June 2009	Case Type: False Statements
<p>ALLEGATIONS, SOURCE , AND JURISDICTION: This case was originally opened by NERC based on information provided by EPA CID, Washington Office, to EPA OIG of individuals in the District of Columbia, Water and Sewer Authority (WASA) who possibly falsified data related to the land level in the District's water supply.</p> <p>On 0/21/04, EPA CID and EPA OIG agents interviewed [REDACTED]</p> <p>A review concerning the facts as well as the directions of this case was done with the Lab Directorate and the following suggestions were made to NERC: (b) (5), (b) (6), (b) (7)(C), (b) (7)(E) [REDACTED]</p> <p>The above mentioned WASA allegations were audited by EPA attorneys and a Consent Order, (CO) was issued against WASA. The CO addressed the following issues: 1. Lead service line replacement; 2. Enhanced public education / notification efforts; 3. Management controls for sampling and reporting.</p> <p>This case had been presented by CID to the United States Attorney's Office and at present, does not meet prosecutorial merit.</p> <p>On September 8, 2004 both EPA CID and EPA OIG personnel will meet to discuss the aforementioned case.</p> <p>This investigation is under the jurisdiction of the EPA OIG because Water is an EPA delegated program.</p>	
VIOLATION(S): 18 U.S.C. 1001 (False Statements)	
INVESTIGATIVE CONTROL/CHANGE: Investigation transferred from NERC Washington, DC to WRC Denver, CO. Open Investigation	
SUPERVISOR'S COMMENTS ON WORKPLAN/REVIEW (See reverse) (Supervisor should initial and date each review):	
Supervisor: [REDACTED] Date: June 1, 2005 /s/ [REDACTED]	Special Agent: [REDACTED] Date: May 31, 2005 /s/ [REDACTED]

INVESTIGATIVE PLAN

Allegation: WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

Statute: 18 U.S.C. 1001

- Elements of Proof: Whoever,
1. willingly made a certain statement or representation, or used a certain writing or document.
 2. the statement, representation, or writing was false, fictitious, or fraudulent, in whole or in part
 3. the subject knew the statement, representation, or writing was false, fraudulent or fictitious
 4. the false, fictitious, or fraudulent portion of the statement, representation, or writing was material
 5. the statement, representation, or writing was made or used in a matter within the jurisdiction of the United States

To Be Completed by the Special Agent			To Be Completed by the Supervisor		
No.	Investigative Step	Est. Date of Completion	Approval of step (Initials and Date)	Date Completed	Initials and Date
1.	Contact [REDACTED]	03/05/05			
2.	Obtain EPA audit	03/05/05			
3.	Obtain on-sight review	04/01/05		04/16/05	
4.	Interview [REDACTED]	04/01/05		03/24/05	
5.	Re-interview EPA employee [REDACTED]	04/01/05		03/24/05	
6.	Re-interview EPA employee [REDACTED]	04/01/05		03/24/05	
7.	Re-interview [REDACTED]	06/15/05	[REDACTED] 6/1/05		
8.	Re-interview [REDACTED]	07/01/05	[REDACTED] 6/1/05		
9.	Subpoenas for records	08/01/05	[REDACTED] 6/1/05		
10.	Search warrant for e-mail accounts	08/01/05	[REDACTED] 6/1/05		
11.	Obtain reports of interview from CID	08/01/05	[REDACTED] 6/1/05		

12.	Coordinate with AUSA	as needed	6/1/05		
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					

INVESTIGATIVE CONTROL SHEET

(Rev. 02/03)

Type of Investigation: <input type="checkbox"/> Proactive <input type="checkbox"/> PI <input checked="" type="checkbox"/> Case		Special Agent: _____ Office: Washington, DC	
Case No.: 2005-8004	Assn. No.: 2005-1099	Cooperating Agent / Agency: EPA CID, Washington, DC	
Subject/Title: DISTRICT OF COLUMBIA, WATER AND SEWER AUTHORITY (WASA)		Subject Address: 301 Bryant Street, NW Washington, DC 20001	
EPA Position / Grade: N/A		EPA Program Office: Water	
EPA Office Location: N/A		Budget Code: 27	
Date Assigned: May 23, 2005		Case Code: 206	
Date Opened: May 24, 2005		Case Category: Laboratory Fraud	
Earliest Statute of Limitations Date: June 2009		Case Type: False Statements	
<p>ALLEGATIONS, SOURCE, AND JURISDICTION: This case was originally opened by NERC based on information provided by EPA CID, Washington Office, to EPA OIG of individuals in the District of Columbia, Water and Sewer Authority (WASA) who possibly falsified data related to the lead level in the District's water supply.</p> <p>On May 21, 2004, EPA CID and EPA OIG agents interviewed [REDACTED] (b) (6), (b) (7)(C), (b) (7)(E), (b) (5)</p> <p>[REDACTED]</p> <p>An outside accounting firm confirmed that WASA had used the wrong testing methodology to determine the lead levels in drinking water. Instead of using the EPA approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods.</p> <p>The EPA discovered an e-mail from a high ranking WASA official suggesting WASA not inform the EPA of the incorrect testing methods. A [REDACTED] confirmed that WASA became aware that the wrong water testing method was used and those WASA officials decided to not inform the EPA of the situation. This [REDACTED] also reported that WASA's 2003 Annual Report to the EPA contained false information regarding the water testing and that the draft annual report actually contained documentation of the incorrect testing. By the end of 2003, which was the deadline for WASA to have 1,600 complaint water samples, information was developed that WASA officials knew they would fall short of the 1,600 needed compliant samples to be in compliance with EPA's lead and copper water content regulations. Subsequently, WASA officials decided to use 300+ homes sampled using the five-minute method of testing, which enabled WASA to acquire the needed 1,600 samples. When WASA submitted their annual report to the EPA in October, 2003, they indicated they collected the 1,600 compliant samples using the temperature change testing method and failed to report the use of the five-minute method.</p> <p>Document reviews, witness interviews and DOJ pre-indictment activities are ongoing.</p> <p>This investigation is under the jurisdiction of the EPA OIG because Water is an EPA delegated program.</p>			
VIOLATION(S): 18 U.S.C. 1001 (False Statements)			
INVESTIGATIVE CONTROL/CHANGE: Investigation transferred from WRC Denver, CO to NERC Washington, DC. Open Investigation.			
SUPERVISOR'S COMMENTS ON WORKPLAN/REVIEW (See reverse) (Supervisor should initial and date each review):			
Supervisor: /s/ [REDACTED] Date: 10/19/06		Special Agent: /s/ [REDACTED] Date: 10/19/06	

INVESTIGATIVE PLAN

Allegation: WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

Statutes: 18 U.S.C. 1001

Elements of Proof: Whoever,

1. Willingly made a certain statement or representation, or used a certain writing or writing or document.
2. the statement, representation, or writing was false, fictitious, or fraudulent, in whole or in part.
3. the subject knew the statement, representation, or writing was false, fraudulent or fictitious
4. The false, fictitious, or fraudulent portion of the statement, representation, or writing was material
5. The statement, representation, or writing was made or used in a matter within the jurisdiction of the United States

To Be Completed by the Special Agent			To Be Completed by the Supervisor		
No.	Investigative Step	Est. Date of Completion	Approval of step (Initials and Date)	Date Completed	Initials and Date
1	Assist EPA CID [REDACTED] research witness addresses.	12/06			
2	Assist [REDACTED] serve Subpoenas for Grand Jury testimony & documents.	12/06			
3	Assist with document reviews.	12/06			
4	Assist DOJ with pre-indictment activities.	12/06			
5	Assist with trial preparation.	12/06			

INVESTIGATIVE PLAN

Page ____ of ____

To Be Completed By Special Agent				To Be Completed By Supervisor	
No.	Investigative Step	Staff Days	ECD	Completed	Comments
1	Contact ██████ (CID)	1	03-05-05	✓	
2	Obtain EPA Audit	1-2	03-09-05		
3	Obtain on-sight review	1-2	03-09-05	04-16-05	
4	Interview ██████ ██████	1	03-11-05		
5	Re-interview ██████	1	03-11-05		
6	Re-interview ██████	1	03-11-05		
7	Re-interview ██████	1	03-16-05		
8	Re-interview of ██████	1	03-16-05		
9	Re-interview ██████	1	03-16-05		
10	Meeting with CID	1	03-16-05		
11	Clarification of "Consent"	1-3	03-20-05		
12	Interview ██████	1-2	Unknown		
	Questions				

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

INVESTIGATIVE CONTROL SHEET

(Rev. 02/03)

Type of Investigation: <input type="checkbox"/> Proactive <input type="checkbox"/> PI <input checked="" type="checkbox"/> Case		Special Agent: [REDACTED]	Office: Washington, D.C.
Case No.: 2004-2025	Assn. No.: 2004-1112	Cooperating Agent / Agency: EPA-CID	
Subject/Title: District of Columbia, Water and Sewer Authority		Subject Address: 301 Bryant Street, NW Washington DC, 20001	
EPA Position / Grade: NA		EPA Program Office: Water	
EPA Office Location: NA		Budget Code: 27	
Date Assigned: 5/21/04		Case Code: 206	
Date Opened: 6/2/04		Case Category: Laboratory Fraud	
Earliest Statute of Limitations Date: 6/09		Case Type: False Statements	
<p>ALLEGATIONS AND SOURCE:</p> <p>This case is being opened based on information provided by EPA-CID, Washington Office, to EPA-OIG, NERC of individuals in the District of Columbia, Water and Sewer Authority, WASA who possibly falsified data related to the lead level in the District's water supply.</p> <p>On 5/21/04, EPA-CID and EPA-OIG agents interviewed [REDACTED].</p> <p>(b) (6), (b) (7)(C)</p> <p>A review concerning the facts as well as the directions of this case was done with the Lab Directorate and the following suggestions were made to NERC:</p> <p>[REDACTED]</p> <p>(b) (6), (b) (7)(C), (b) (7)(E)</p> <p>The above mentioned WASA allegations were audited by EPA attorneys and a Consent Order, (CO) was issued against WASA. The OC addressed the following issues:</p> <ol style="list-style-type: none"> 1) Lead service line replacement. 2) Enhanced public education/notification efforts 3) Management controls for sampling and reporting <p>This case had been presented by CID to the United States Attorney's Office and at present, does not meet prosecutorial merit.</p> <p>On September 8, 2004 both EPA-CID as well as EPA-OIG personnel will meet to discuss the aforementioned case.</p> <p>This investigation is under the jurisdiction of the EPA-OIG because Water is a EPA delegated program.</p>			
<p>VIOLATION(S):</p> <p>18 U.S.C. 1001 (False Claims)</p>			
<p>INVESTIGATIVE CONTROL/CHANGE:</p> <p>To open substantive investigation.</p>			
<p>SUPERVISOR'S COMMENTS ON WORKPLAN/REVIEW (See reverse) (Supervisor should initial and date each review):</p> 			
Supervisor: /s/ [REDACTED] Date: 8/27/04		Special Agent: /s/ [REDACTED] Date: 8/27/04	

INVESTIGATIVE PLAN

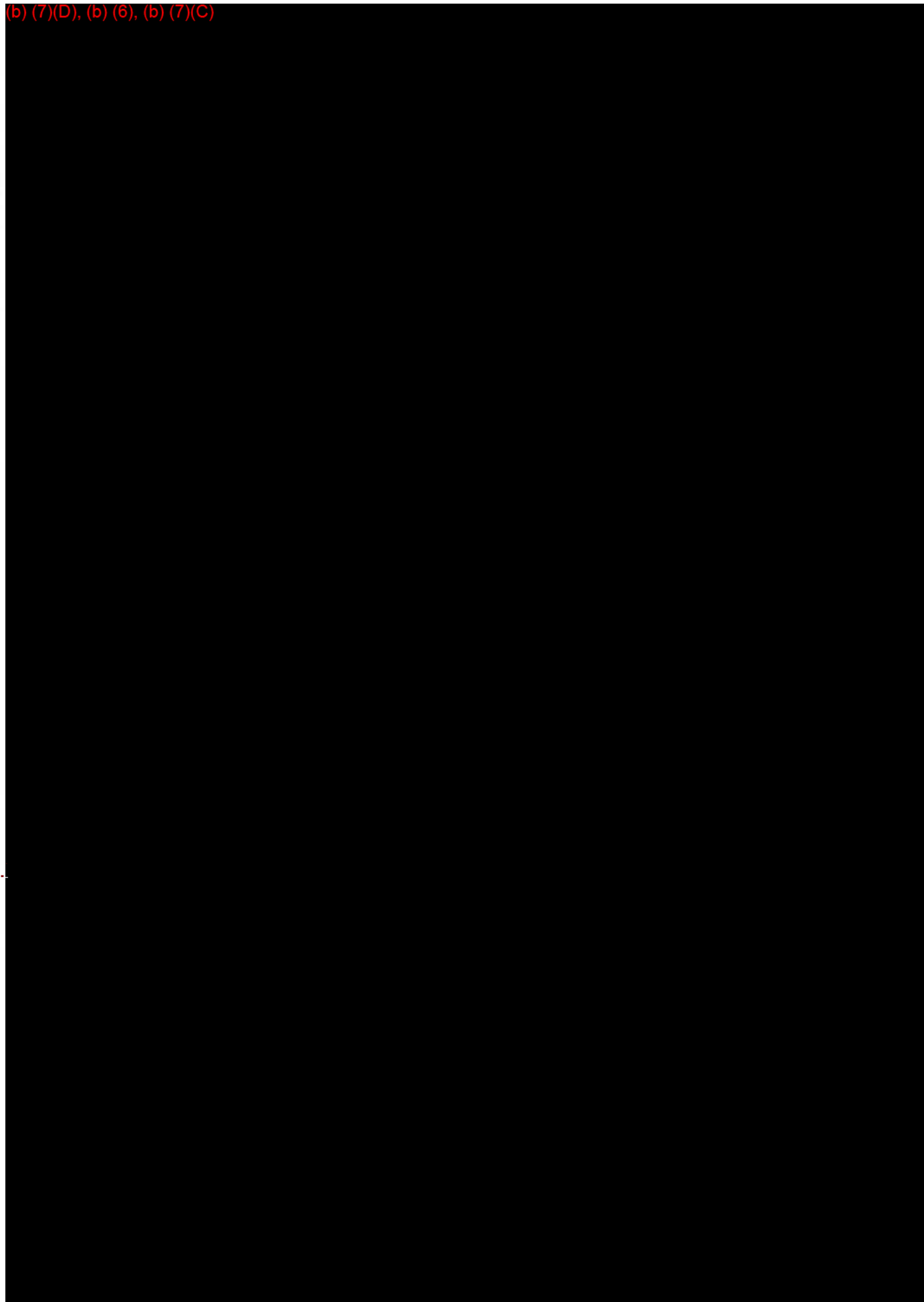
Page of

To Be Completed By Special Agent				To Be Completed By Supervisor	
No	Investigative Step	Staff days	ECD	Completed	Comments
1	Discuss investigative strategy with EPA-CID	1-2	8/27/04	8/27/04	
2	Discuss EPA audit with Region III	1-2	8/26/04	8/27/04	
3	Meet with EPA principles 9/8/04	1	9/8/04	9/8/04	
4	Meeting with Region III	1-2	10/04	10/20/04	
5	[Redacted] email to EPA	1-2	10/04	11/5/04	
6	[Redacted] email 10/20/04	1-3	10/04	11/2/04	
7	Email from [Redacted]	1-2	10/04	11/2/04	
8	Interview [Redacted]	1-2	11/04		Per the 2nd & 3rd interviews
9	[Redacted]	1	11/04	11/10/04	
	Interview [Redacted]	1-2	11/04	11/10/04	
	[Redacted] 11/2/04	1-2	2/05		

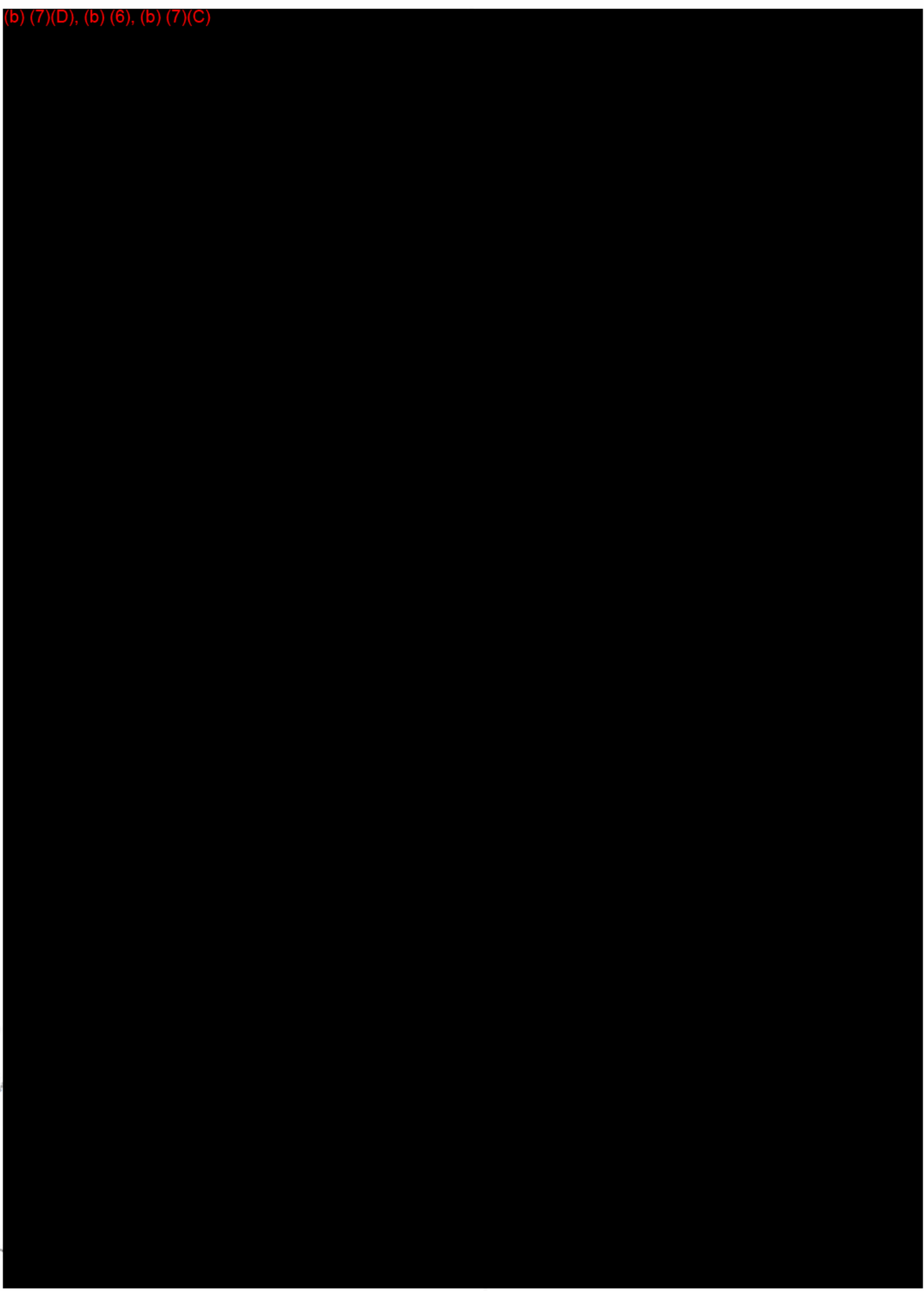
ESTIGATIVE CONTROL S 3T

(Rev. 02/03)

Type of Investigation: <input type="checkbox"/> Proactive <input checked="" type="checkbox"/> PI <input checked="" type="checkbox"/> Case		Special Agent: [REDACTED] Office: Washington, D.C.	
Case No.: 2004-2025 Assn. No.: 2004-1112		Cooperating Agent / Agency: EPA-CID	
Subject/Title: District of Columbia, Water and Sewer Authority		Subject Address: 301 Bryant Street, NW Washington DC, 20001	
EPA Position / Grade: NA		EPA Program Office: Water	
EPA Office Location: NA		Budget Code: 27	
Date Assigned: 5/21/04		Case Code: 206	
Date Opened: 6/2/04		Case Category: Laboratory Fraud	
Earliest Statute of Limitations Date: 6/09		Case Type: False Statements	
<p>ALLEGATIONS AND SOURCE:</p> <p>This case is being opened based on information provided by EPA-CID, Washington Office, to EPA-OIG, NERC of individuals in the District of Columbia, Water and Sewer Authority, WASA who possibly falsified data related to the lead level in the District's water supply.</p> <p>On 5/21/04, EPA-CID and EPA-OIG agents interviewed [REDACTED]</p> <p>[REDACTED]</p> <p>This case is being opened for further investigative analysis scheduled for September 8, 2004.</p> <p>This investigation is under the jurisdiction of the EPA-OIG because Water is a EPA delegated program.</p>			
<p>VIOLATION(S):</p> <p>18 U.S.C. 1001 (False Claims)</p>			
<p>INVESTIGATIVE CONTROL/CHANGE:</p> <p>To open substantive investigation.</p>			
<p>SUPERVISOR'S COMMENTS ON WORKPLAN/REVIEW (See reverse) (Supervisor should initial and date each review):</p>			
Supervisor: /s/ [REDACTED] Date: 8/19/04		Special Agent: /s/ [REDACTED] Date: 8/19/04	



(b) (7)(D), (b) (6), (b) (7)(C)



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

CLOSING STATUS REPORT - October 30, 2009

Investigative Case File: 2007-CS-0025

Investigative Title: IGOR - DISTRICT OF COLUMBIA WATER AND SEWER
AUTHORITY

Agent: [REDACTED]

Office: West-Denver

Case Category: Laboratory

Date Opened: December 12, 2006

SUBJECTS:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

ALLEGATIONS:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

STATUTES:

Title 18 U.S.C. 1001 - False Statements

COMPLAINT:

No Complaint found.

SUMMARY OF INVESTIGATION: On June 2, 2004, an investigation was initiated into allegations of inappropriate testing methodologies for lead levels in drinking water by the District of Columbia Water and Sewer Authority (WASA) and subsequent inaccurate reporting of those tests to the EPA. The investigation revealed that WASA officials had indeed utilized an unapproved testing methodology called a "five minute" test in the Summer of 2003 after WASA had exceeded the Lead and Copper Rule for lead levels in residential homes within Washington, DC in 2002. Because of their exceedance, WASA was required to replace thousands of lead service lines within Washington, DC. In lieu of service line replacement, WASA could test thousands of residences by sending out testing kits, and if they obtained a certain number of passing results, WASA would be under the exceedance limits. Instead of using the Code of Federal Regulations approved "temperature change" methodology, WASA officials sent thousands of incorrect "five minute" testing kits to Washington, DC residents. WASA officials became aware they were using the incorrect testing methodology in the Summer of 2003, but instead of discarding the passing results they received using the "five minute" tests, WASA officials utilized those results in order to fall below the lead exceedance levels.

After discovering the discrepancy with the testing methodologies, WASA officials conspired to conceal the problem. In numerous emails between high-ranking WASA officials, they conspired a detailed plan on how to conceal their use of the incorrect testing methodology from the EPA. Under the "five minute" results, WASA officials were obtaining a passing percentage of almost 70%, but after they started utilizing the correct "temperature change" method, it fell to below 30%. The investigation revealed that WASA officials ultimately used approximately 400 passing samples from the "five minute" testing methodology in order to go below the exceedance levels for the Lead and Copper Rule. Additionally, they formalized those results in a report to the EPA in the Fall of 2003.

Prosecutors from DOJ's Environmental Crimes Section (ECS), including DAVID UHLMANN, Chief of ECS, and THOMAS BALLANTINE, were assigned to the investigation. ANGELA SCHMIDT, Assistant United States Attorney, District of Columbia, was also assigned. This investigation was worked jointly with [REDACTED], Special Agent, EPA-CID.

(b) (5), (b) (6), (b) (7)(C)
[REDACTED]

(b) (5), (b) (6), (b) (7)(C)
[REDACTED]

On September 15, 2008, a meeting was held at the office of RON TENPAS, Assistant Attorney General, ENRD. Attendees included [REDACTED], BALLANTINE, MITCHELL, [REDACTED] EILEEN SOBECK, Deputy Assistant Attorney General, ENRD, [REDACTED], [REDACTED] EPA Legal Counsel, and [REDACTED] (b) (5), (b) (6), (b) (7)(C) [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

On October 29, 2008, BALLANTINE wrote a letter declining the prosecution of [REDACTED].

On September 24, 2008, RA formally presented the investigation to [REDACTED], [REDACTED] EPA Suspension and Debarment Division. It was assigned to [REDACTED] Debarment Counsel.

On March 19, 2009, [REDACTED] submitted an Action Referral Memorandum (ARM) to [REDACTED]. In the ARM, [REDACTED] recommended the WASA, [REDACTED]

(b) (5)

(b) (5)

On August 13, 2009, [REDACTED] concluded that, "Though I agree [REDACTED] engaged in misconduct, I (b) (5)

[REDACTED] also concluded "there

(b) (5), (b) (6), (b) (7)(C)

consideration of the factors noted above I have concluded that (b) (5)

On March 26, 2009, RA met with [REDACTED]

[REDACTED] DCOIG had contacted RA about possible perjury claims against high-ranking WASA officials regarding the lead level testing in 2003. DCOIG had learned that scientific studies had shown that infants and children in Washington, DC had higher-than-normal levels of lead in their blood which could only have come from eating paint chips or from their drinking water. RA subsequently reviewed numerous transcripts of testimony by WASA officials in front of Congressional Committees regarding the 2003 testing but was unable to locate any statements which indicated possible perjury.

On June 2, 2009, RA formally presented a case against [REDACTED] for WASA, for violations of 18 USC 1001 to JAMES BUCHANAN, Deputy Chief, Financial Fraud Section, Southern District of Texas. The referral was based on possible false statements made by [REDACTED] RA and [REDACTED] interviewed [REDACTED] about [REDACTED] knowledge of the lead level testing by WASA in 2003. During that interview, [REDACTED] made numerous conflicting statements, which also contradicted documentary evidence. [REDACTED] advised that [REDACTED] was unaware of circumstances involving the incorrect testing methodology, even though [REDACTED] had received numerous emails which spoke in detail about the situation. On June 10, 2009, after reviewing

findings, BUCHANAN advised RA that because (b) (5), (b) (6), (b) (7)(C)

During the course of this investigation, other investigative techniques were utilized.

This investigation substantiated that WASA officials manipulated the testing and water samples for lead levels in 2003 in order to be in compliance with the Lead and Copper Rule. It was also proven that WASA officials provided false information to the EPA regarding their use of the incorrect testing methodology in 2003. All investigative techniques and steps have been exhausted. Two criminal investigations have been declined by DOJ, and EPA Suspension and Debarment has declined suspension and debarment of WASA and its officials. No further investigation is warranted and this case is closed.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT - April 1, 2009

Investigative Case File: 2007-CS-0025

Investigative Title: IGOR - DISTRICT OF COLUMBIA WATER AND SEWER
AUTHORITY

Agent: [REDACTED]

Office: West-Denver

Case Category: Laboratory

Date Opened: December 12, 2006

SUBJECTS:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

ALLEGATIONS:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

STATUTES:

Title 18 U.S.C. 1001 - False Statements

COMPLAINT:

No Complaint found.

APRIL 1, 2009 UPDATE: During this reporting period, Reporting Agent (RA) attempted to locate specific billing information from the General Services Administration (GSA) regarding payments made to the DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (WASA) for EPA building utilities in Washington, DC. The requested information was obtained and was forwarded to [REDACTED], EPA Suspension and Debarment Division.

On March 19, 2009, [REDACTED] submitted a proposal (b) (5), (b) (6), (b) (7)(C)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On March 26, 2009, RA met with officials from the District of Columbia Office of Inspector General (DCOIG) regarding possible perjury and false statement activities by WASA officials in front of Congressional committees regarding the testing for lead in drinking water. At that meeting, RA conveyed information relevant to RA's investigation into WASA (minus Rule 6(e) material) and it was agreed that RA would work closely with DCOIG officials to see if WASA officials committed perjury and/or made false statements to Congress.

During the next reporting period, RA will review numerous transcripts of Congressional testimony of WASA officials to Congress and will meet with DCOIG officials to determine if continued investigation is warranted.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT - ^{January}~~October~~ 1, 2009

Investigative Case File: 2007-CS-0025

Investigative Title: IGOR - DISTRICT OF COLUMBIA WATER AND SEWER
AUTHORITY

Agent: [REDACTED]

Office: West-Denver

Case Category: Laboratory

Date Opened: December 12, 2006

SUBJECTS:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

ALLEGATIONS:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

STATUTES:

Title 18 U.S.C. 1001 - False Statements

COMPLAINT:

No Complaint found.

JANUARY 1, 2009 UPDATE: On October 29, 2008, Reporting Agent received a letter from TOM BALLANTINE, Department of Justice, Environmental Crimes Section (ECS), declining prosecution of [REDACTED]. In his letter, BALLANTINE explained the declination by stating "(b) (5)" [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
During this reporting period, Reporting Agent referred the investigation to EPA's Suspension and Debarment Division and the case was assigned to [REDACTED]

[REDACTED]. On October 31, 2008, Reporting Agent mailed a summary package to [REDACTED] and [REDACTED] which detailed the investigation and provided supporting materials.

During the next reporting period, Reporting Agent will continue to coordinate with [REDACTED] and [REDACTED] on potential administrative action.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT - October 1, 2008

Investigative Case File: 2007-CS-0025

Investigative Title: IGOR - DISTRICT OF COLUMBIA WATER AND SEWER
AUTHORITY

Agent: [REDACTED]

Office: West-Denver

Case Category: Laboratory

Date Case Opened: December 12, 2006

SUBJECTS:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

ALLEGATIONS:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

STATUTES:

Title 18 U.S.C. 1001 - False Statements

COMPLAINT:

No Complaint found.

OCTOBER 1, 2008 UPDATE : In July of 2008, following a meeting with [REDACTED], defense counsel for [REDACTED], TOM BALLANTINE, prosecutor for DOJ's Environmental Crimes Section (ECS), (b) (5)

[REDACTED] On July 11, 2008, during a meeting with ECS (b) (5)

[REDACTED] However, sometime after that meeting, MITCHELL met privately with [REDACTED], (b) (5)

On September 4, 2008, a meeting was held in Washington, DC at the offices of ECS to discuss (b) (5). Those present were MITCHELL, BALLANTINE, DEBORAH

HARRIS, Assistant Chief of ECS, DAVID KEHOE, ECS prosecutor, [REDACTED],

[REDACTED] At that meeting, MITCHELL (b) (5), (b) (6),
(b) (7)(C)

On September 15, 2008, a meeting was held in Washington, DC at the office of TENPAS. Those present were the aforementioned individuals, including EILEEN SOBECK, Deputy Assistant Attorney General for ENRD and [REDACTED] EPA-CID. At this meeting, [REDACTED] again made arguments on why his client was innocent of any criminal activity. After meeting with [REDACTED], Reporting Agent, [REDACTED] and BALLANTINE (b) (5) [REDACTED] The meeting adjourned (b) (5)

On September 22, 2008, Reporting Agent was verbally advised by BALLANTINE that ECS had decided to decline prosecution of [REDACTED]. Anticipated investigative activity for the next reporting period would include (b) (5), (b) (7)(E) [REDACTED]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT

Investigative Case File: 2007-CS-0025

Investigative Title: IGOR - DISTRICT OF COLUMBIA WATER AND SEWER
AUTHORITY

Agent: [REDACTED]

Office: [REDACTED] Atlanta

Case Category: Laboratory

Date Opened: October 25, 2006

SUBJECTS:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

ALLEGATIONS:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

STATUTES:

Title 18 U.S.C. 1001 - False Statements

COMPLAINT:

No Complaint found.

JULY 1, 2008 UPDATE: On April 4, 2008, THOMAS BALLANTINE, prosecutor for DOJ's Environmental Crimes Section, met with [REDACTED]

[REDACTED]. At the meeting, [REDACTED] advised BALLANTINE that [REDACTED] was not interested in negotiating a plea offer, nor was [REDACTED] interested in speaking with the government without immunization, which BALLANTINE refused. In May, BALLANTINE met with [REDACTED], to discuss the Lead and Copper Rule. [REDACTED] (b) (5) WASA's use of a five minute testing methodology would capture lead levels from the main line and not the service line. [REDACTED] also believed that (b) (5) BALLANTINE is currently working on (b) (5). BALLANTINE has two trials this quarter, and is hoping to have (b) (5)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT

Investigative Case File: 2007-CS-0025

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

SUBJECTS:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

ALLEGATIONS:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

STATUTES:

Title 18 U.S.C. 1001 - False Statements

COMPLAINT:

No Complaint found.

APRIL 1, 2008 UPDATE: During this quarter, THOMAS BALLANTINE of the DOJ's Environmental Crimes Section was (b) (5)

[REDACTED] This decision was reached after awaiting word from RONALD TENPAS, Assistant Attorney General, who had spoken with JEFFREY TAYLOR, U.S. Attorney for the District of Columbia. On March 24, 2008, BALLANTINE sent a target letter to [REDACTED]. In his letter, BALLANTINE wrote, "We have determined that your client, [REDACTED] may have committed violations of the federal criminal code during that period, including obstruction of EPA proceedings. At this stage, we consider [REDACTED] a target of the [REDACTED] investigation." [REDACTED] response will [REDACTED] (b) (5) [REDACTED].



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT

Investigative Case File: 2007-CS-0025

IGOR- DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

OPEN

Subjects:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Allegations:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

Statutes:

Title 18 U.S.C. 1001

Complaint:

No Complaint found.

OCTOBER 1, 2007, UPDATE: On September 17, 2007, THOMAS BALLANTINE, DOJ, Environmental Crimes Section (ECS) identified that in August 2007, the former DOJ attorney, DAVID UHLMAN had left DOJ and that this investigation had been re-assigned to STACY MITCHELL, DOJ, ECS. (b) (5)

[REDACTED]
[REDACTED]
[REDACTED] (b) (5)
[REDACTED]

During the next reporting period, OI staff, including the Acting SAC as well as the Director of Laboratory Fraud Directorate plan to meet with BALLANTINE to determine (b) (5)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

QUARTERLY STATUS REPORT

Investigative Case File: 2007-CS-0025

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

OPEN

Subjects:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Allegations:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

Statutes:

Title 18 U.S.C. 1001

Complaint:

JULY 1, 2007 UPDATE: During this reporting period, OI continued to work closely with attorneys from the Department of Justice (DOJ) Environmental Crimes Unit and EPA Criminal Investigations Division (CID) to advance and complete this investigation. Other investigative methods were used during this reporting period in an effort to substantiate or refute the allegations being investigated in this matter. OI continued to participate in the review and preparation of (b) (5). OI participated in meetings with the DOJ Environmental Crimes Unit, EPA CID and the U.S. Attorneys Office discussing the (b) (5). It is anticipated that other investigative methods will continue to be used during the next reporting period. It is further anticipated that DOJ will begin judicial action in this matter during the next reporting period.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL OFFICE OF INVESTIGATIONS

APRIL 1, 2007 STATUS REPORT

Investigative Case File: 2007-CS-0025

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

OPEN

Subjects:

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Allegations:

WASA officials are manipulating water samples in order to be in compliance with EPA standards when testing for lead levels.

Statutes:

Title 18 U.S.C. 1001

Complaint:

April 1, 2007 Update: During this reporting period, OI worked closely with attorneys from the Department of Justice (DOJ) Environmental Crimes Unit and EPA Criminal Investigations Division to advance this investigation. Other investigative methods were used during this reporting period in an effort to substantiate or refute the allegations being investigated in this matter. Also during this reporting period, OI participated in the review and preparation of (b) (5). It is anticipated that other investigative methods will continue to be used during the next reporting period. It is further anticipated that DOJ will begin judicial action in this matter during the next reporting period.



AGENCY

QUARTERLY STATUS REPORT - DETAIL

Investigative Case File: 2007-CS-0025

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

OPEN

Complaint:

JULY 1, 2007 UPDATE: During this reporting period, OI continued to work closely with attorneys from the Department of Justice (DOJ) Environmental Crimes Unit and EPA Criminal Investigations Division (CID) to advance and complete this investigation. Other investigative methods were used during this reporting period in an effort to substantiate or refute the allegations being investigated in this matter. OI continued to participate in the review and preparation of (b) (5). OI participated in meetings with the DOJ Environmental Crimes Unit, EPA CID and the U.S. Attorneys Office discussing the (b) (5). It is anticipated that other investigative methods will continue to be used during the next reporting period. It is further anticipated that DOJ will begin judicial action in this matter during the next reporting period.



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER: 04-2025
ASSN. NUMBER: 2004-1112
CASE TITLE: **DISTRICT OF COLUMBIA**
WATER AND SEWER
AUTHORITY
Washington, D.C.

DATE: January 1, 2007
OFFICE: Northeastern-Washington
AGENT: [REDACTED]
CASE CAT.: Laboratory Fraud
CASE TYPE: False Statements

ALLEGATIONS: A Preliminary Inquiry was opened on June 2, 2004, based on information provided by the United States Environmental Protection Agency (EPA), Criminal Investigation Division (CID), Washington Field Office to the EPA Office of Inspector General (OIG), Northeast Resource Center, Washington, D.C., regarding individuals in the District of Columbia (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]

[REDACTED] This investigation is within EPA OIG's jurisdiction as Water is an EPA-delegated program. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

SYNOPSIS: During the month of October 2004, [REDACTED]

[REDACTED], Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. An outside accounting firm confirmed that WASA had used the wrong testing methodology in determining lead levels in drinking water. However, EPA officials reported this information, which consisted of approximately 400 incorrectly tested homes, was never submitted to them. The EPA also discovered an e-mail from a high-ranking WASA official

suggesting WASA not inform the EPA of the incorrect testing methods. [REDACTED]

[REDACTED], a current WASA staff member, indicated [REDACTED] would only speak to investigators at [REDACTED] WASA office. Attorneys for [REDACTED] [REDACTED] identified [REDACTED] who had knowledge of WASA's attempt to obtain compliant water samples for the city of Washington, D.C.

[REDACTED], was interviewed on May 23, 2006 and stated that [REDACTED] assisted WASA managers in attempting to obtain compliant water samples for Washington, D.C. after WASA had exceeded the lead and copper regulation. [REDACTED] recalled that [REDACTED], had assured officials from WASA and [REDACTED] that the EPA had approved the use of a five-minute testing method to obtain water samples. [REDACTED], questioned [REDACTED] about this testing method because neither [REDACTED] could locate this testing method within the federal regulations. In the Summer of 2003, after 300+ homes had been sampled using the five-minute testing method, [REDACTED]'s suspicions about the five-minute testing method were confirmed, as [REDACTED] reported that the EPA had not approved of this method. [REDACTED] reported that the EPA only approved a temperature change testing method, which was also located in the Code of Federal Regulations, and [REDACTED] sent out sampling kits which incorporated the temperature change method. By the end of September 2003, which was the deadline for WASA to have 1,600 compliant water samples, it was clear to both [REDACTED] and WASA officials that they would fall short of the 1,600 needed compliant samples using the temperature change method. However, WASA officials decided to use the 300+ homes sampled using the five-minute method, which enabled WASA to acquire the needed 1,600 compliant samples. But when WASA submitted their annual report to the EPA in October 2003, they indicated they collected the 1,600 compliant samples using the temperature change testing method and failed to report the use of the five-minute method.

JANUARY 1, 2007, UPDATE: On October 11, 2006, this case was reassigned to Special Agent [REDACTED]. During this reporting period, OI maintained contact with DOJ and utilized other investigative techniques. OI also participated in the interview of several current and former WASA employees who substantiated that WASA's lead testing methods were altered to eliminate indications of lead in residential and commercial drinking supplies. It is anticipated that additional interviews will be conducted during the next reporting period. It is further anticipated that DOJ will begin prosecutive action in this matter.

Approved: /s/ [REDACTED]
[REDACTED]

WASA not inform the EPA of the incorrect testing methods. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] WASA staff member, indicated [REDACTED] would only speak to investigators at [REDACTED] WASA office. Attorneys for [REDACTED] identified [REDACTED] who had knowledge of WASA's attempt to obtain compliant water samples for the city of Washington, D.C.

[REDACTED], was interviewed on May 23, 2006 and stated that [REDACTED] assisted WASA managers in attempting to obtain compliant water samples for Washington, D.C. after WASA had exceeded the lead and copper regulation. [REDACTED] recalled that [REDACTED], had assured officials from WASA and [REDACTED] that the EPA had approved the use of a five-minute testing method to obtain water samples. [REDACTED], along with [REDACTED], questioned [REDACTED] about this testing method because neither [REDACTED] could locate this testing method within the federal regulations. In the Summer of 2003, after 300+ homes had been sampled using the five-minute testing method, [REDACTED]'s suspicions about the five-minute testing method were confirmed, as [REDACTED] reported that the EPA had not approved of this method. [REDACTED] reported that the EPA only approved a temperature change testing method, which was also located in the Code of Federal Regulations. [REDACTED] sent out sampling kits which incorporated the temperature change method. By the end of September 2003, which was the deadline for WASA to have 1,600 compliant water samples, it was clear to both [REDACTED] and WASA officials that they would fall short of the 1,600 needed compliant samples using the temperature change method. However, WASA officials decided to use the 300+ homes sampled using the five-minute method, which enabled WASA to acquire the needed 1,600 compliant samples. But when WASA submitted their annual report to the EPA in October 2003, they indicated they collected the 1,600 compliant samples using the temperature change testing method and failed to report the use of the five-minute method. Other investigative techniques were used during this reporting period.

OCTOBER 1, 2006, UPDATE: During this reporting period other investigative techniques were employed in conjunction with working closely with the Department of Justice. Due to the transfer of Special Agent [REDACTED], this case is being assigned to Special Agent [REDACTED]. Action is expected on the part of DOJ within the next quarter.

Approved: /s/ [REDACTED]
[REDACTED]



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER: 05-8004 DATE: July 1, 2006
ASSN. NUMBER: 2005-1099 OFFICE: Western - Denver
CASE TITLE: **DISTRICT OF COLUMBIA** AGENT: [REDACTED]
WATER AND SEWER CASE CAT.: Laboratory Fraud
AUTHORITY CASE TYPE: False Statements
Washington, DC

ALLEGATIONS: A Preliminary Inquiry was opened on June 2, 2004, based on information provided by the United States Environmental Protection Agency (EPA), Criminal Investigation Division (CID), Washington Field Office to the EPA Office of Inspector General (OIG), Northeast Resource Center, Washington, D.C., regarding individuals in the District of Columbia (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]

[REDACTED] This investigation is within EPA OIG's jurisdiction as Water is an EPA delegated program. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

SYNOPSIS: During the month of October 2004, [REDACTED]

[REDACTED] EPA, Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. An outside accounting firm confirmed that WASA had used the wrong testing methodology in determining lead levels in drinking water. However, EPA officials reported this information was never submitted to them, which consisted of approximately 400 incorrectly tested homes. The EPA also discovered an e-mail from a high ranking WASA official suggesting

Case No. 05-8004

July 1, 2006

WASA not inform the EPA of the incorrect testing methods. [REDACTED]

[REDACTED]

[REDACTED] indicated [REDACTED] would only speak to investigators at [REDACTED] WASA office. Attorneys for [REDACTED], identified [REDACTED] who had knowledge of WASA's attempt to obtain compliant water samples for the city of Washington, D.C.

JULY 1, 2006, UPDATE: [REDACTED], was interviewed on May 23, 2006 and stated that [REDACTED] assisted WASA managers in attempting to obtain compliant water samples for Washington, D.C. after WASA had exceeded the lead and copper regulation. [REDACTED] had assured officials from WASA and [REDACTED] that the EPA had approved the use of a five-minute testing method to obtain water samples. [REDACTED], along with [REDACTED], questioned [REDACTED] about this testing method because neither [REDACTED] could locate this testing method within the federal regulations. In the Summer of 2003, after 300+ homes had been sampled using the five-minute testing method, [REDACTED] suspicions about the five-minute testing method were confirmed, as [REDACTED] reported that the EPA had not approved of this method. [REDACTED] reported that the EPA only approved a temperature change testing method, which was also located in the Code of Federal Regulations, [REDACTED] sent out sampling kits which incorporated the temperature change method. By the end of September 2003, which was the deadline for WASA to have 1,600 compliant water samples, it was clear to both [REDACTED] and WASA officials that they would fall short of the 1,600 needed compliant samples using the temperature change method. However, WASA officials decided to use the 300+ homes sampled using the five-minute method, which enabled WASA to acquire the needed 1,600 compliant samples. But when WASA submitted their annual report to the EPA in October 2003, they indicated they collected the 1,600 compliant samples using the temperature change testing method and failed to report the use of the five minute method. Other investigative techniques were used during this reporting period.

Interviews of additional [REDACTED] and WASA employees, as well as a review of documents is pending.

Approved: /s/ [REDACTED]
[REDACTED]



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER:	05-8004	DATE:	April 1, 2006
ASSN. NUMBER:	2005-1099	OFFICE:	Western [REDACTED]
CASE TITLE:	DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY Washington, DC	AGENT:	[REDACTED]
		CASE CAT.:	Laboratory Fraud
		CASE TYPE:	False Statements
		HOURS:	289

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004 based on information provided by EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA. This investigation is under the jurisdiction of the EPA OIG because Water is an EPA delegated program.

SYNOPSIS: During the month of October, 2004, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA, Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. An outside accounting firm confirmed that WASA had used the wrong testing methodology in determining lead levels in drinking water. However,

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Status Report Form

Case No. 05-8004

April 1, 2006

EPA officials reported this information was never submitted to them, which consisted of approximately 400 incorrectly tested homes. The EPA also discovered an e-mail from a high ranking WASA official suggesting WASA not inform the EPA of the incorrect testing methods. [REDACTED] confirmed that WASA became aware that the wrong water test was used and that WASA officials decided to not inform the EPA of the situation. This [REDACTED] also reported WASA's 2003 Annual Report to the EPA contained false information regarding the water testing and that the draft annual report actually contained documentation of the incorrect testing. [REDACTED], indicated [REDACTED] would only speak to investigators at [REDACTED] WASA office.

APRIL 1, 2006 UPDATE: Other investigative techniques have been used during this reporting period and will continue into the next reporting period.

In March, TOM BALLANTINE, Trial Attorney for Environmental Crimes Section (ECS), Environmental and Natural Resources Division (ENRD), Department of Justice (DOJ), DAVID UHLMAN, Section Chief for ECS ENRD DOJ, ANGELA SCHMIDT, AUSA, District of Columbia, and [REDACTED] [REDACTED] [REDACTED] EPA CID, met with legal counsel for [REDACTED]

[REDACTED]. At that meeting, [REDACTED] attorneys explained how [REDACTED] WASA's use of the incorrect water sampling procedure. [REDACTED] attorneys provided the names of [REDACTED] and identified those who would have knowledge of the correspondence between [REDACTED] and WASA officials.

Additional investigative actions include document review pursuant to subpoenas, interviews of witnesses and coordination of witness participation, interviews of WASA officials, and follow-up with [REDACTED] legal counsel.

Approved: /s/ [REDACTED]
[REDACTED]

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER:	05-8004	DATE:	January 1, 2006
ASSN. NUMBER:	2005-1099	OFFICE:	Western - [REDACTED]
CASE TITLE:	DISTRICT OF COLUMBIA	AGENT:	[REDACTED]
	WATER AND SEWER	CASE CAT.:	Laboratory Fraud
	AUTHORITY	CASE TYPE:	False Statements
	Washington, DC	HOURS:	288

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004 based on information provided by EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA. This investigation is under the jurisdiction of the EPA OIG because Water is an EPA delegated program.

SYNOPSIS: During the month of October, 2004, [REDACTED]

[REDACTED]

[REDACTED] the

[REDACTED]

EPA, Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. An outside accounting firm confirmed that WASA had used the wrong testing methodology in determining lead levels in drinking water. However,

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Case No. 05-8004

January 1, 2006

EPA officials reported this information was never submitted to them, which consisted of approximately 400 incorrectly tested homes. The EPA also discovered an e-mail from a high ranking WASA official suggesting WASA not inform the EPA of the incorrect testing methods.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

JANUARY 1, 2006 UPDATE: An interview of [REDACTED] [REDACTED] was attempted on October 3, 2005. After scheduling the interview, [REDACTED] informed [REDACTED] [REDACTED] Special Agent, EPA CID, [REDACTED] wanted to be interviewed at [REDACTED] WASA office instead of [REDACTED] home. [REDACTED] advised [REDACTED] that [REDACTED] also informed [REDACTED] [REDACTED] that SA [REDACTED] had scheduled an interview of [REDACTED]. After being advised that speaking with [REDACTED] at [REDACTED] WASA office was not plausible, [REDACTED] advised SA [REDACTED] that [REDACTED] did not wish to speak to [REDACTED] unless it was at [REDACTED] WASA office.

DAVID UHLMAN, Section Chief for the Environmental Crimes Section, Department of Justice (DOJ-ECS) joined the investigation in October. UHLMAN and other staff from DOJ-ECS are reviewing the case, along with documents associated with the investigation. DOJ-ECS and the USAO have formulated the following investigative strategies; (b) (5), (b) (7)(E)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The FBI has expressed interest in joining the investigation and will be assigning an agent to the case.

Approved: /s/ [REDACTED]
[REDACTED]

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER:	05-8004	DATE:	October 1, 2005
ASSN. NUMBER:	2005-1099	OFFICE:	Western [REDACTED]
CASE TITLE:	DISTRICT OF COLUMBIA	AGENT:	[REDACTED]
	WATER AND SEWER	CASE CAT.:	Laboratory Fraud
	AUTHORITY	CASE TYPE:	False Statements
	Washington, DC	HOURS:	241

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004 based on information provided by EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]

[REDACTED]

EPA. This investigation is under the jurisdiction of the EPA OIG because Water is an EPA delegated program.

SYNOPSIS: During the month of October, 2004, [REDACTED]

[REDACTED]

EPA, Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. An outside accounting firm confirmed that WASA had used the wrong testing methodology in determining lead levels in drinking water. However,

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Status Report Form

Case No. 05-8004

October 1, 2005

EPA officials reported this information was never submitted to them, which consisted of approximately 400 incorrectly tested homes. The EPA also discovered an e-mail from a high ranking WASA official suggesting WASA not inform the EPA of the incorrect testing methods [REDACTED] confirmed that WASA became aware that the wrong water test was used and that WASA officials decided to not inform the EPA of the situation. [REDACTED] also reported WASA's 2003 Annual Report to the EPA contained false information regarding the water testing and that the draft annual report actually contained documentation of the incorrect testing.

OCTOBER 1, 2005 UPDATE: Unsuccessful attempts have been made to interview [REDACTED]

[REDACTED] statements. After several attempts, [REDACTED] was finally located and an interview has been scheduled with [REDACTED] for October 3, 2005. DAVID UHLMAN, Section Chief for the Environmental Crimes Section, Department of Justice (DOJ-ECS), will be joining the case and assisting the U.S. Attorney's Office (USAO) in prosecution of this case. A tentative meeting has been scheduled for mid-October with DOJ-ECS, EPA CID, and the ASAO to (b) (5)

(b) (5), (b) (7)(E)

(b) (6), (b) (7)(C), (b) (5), (b) (7)(E)

[REDACTED] will be interviewed in the next quarter.

Approved: /s/ [REDACTED]

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER:	05-8004	DATE:	July 1, 2005
ASSN. NUMBER:	2005-1099	OFFICE:	Western [REDACTED]
CASE TITLE:	DISTRICT OF COLUMBIA	AGENT:	[REDACTED]
	WATER AND SEWER	CASE CAT.:	Laboratory Fraud
	AUTHORITY	CASE TYPE:	False Statements
	Washington, DC	HOURS:	231

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004 based on information provided by EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA. This investigation is under the jurisdiction of the EPA OIG because Water is an EPA delegated program.

SYNOPSIS: During the month of October, 2004, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EPA, Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. An outside accounting firm confirmed that WASA had used the wrong testing methodology in determining lead levels in drinking water. However,

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Status Report Form

Case No. 05-8004

July 1, 2005

EPA officials reported this information was never submitted to them, which consisted of approximately 400 incorrectly tested homes. The EPA also discovered an e-mail from a high ranking WASA official suggesting WASA not inform the EPA of the incorrect testing methods.

JULY 1, 2005 UPDATE: On May 18, 2005, [REDACTED], admitted WASA had conducted incorrect testing methodologies for lead levels in drinking water for the Washington, DC area. [REDACTED] WASA was in the process of having to replace 1,650 lead service lines, with a deadline date of September of 2003. Upon selecting sample homes for lead level testing, kits were sent to those homes. Approximately three months after sending out the kits, [REDACTED] alerted WASA officials that the wrong testing methodology was being used. Instead of using the required temperature change method, WASA had instructed home owners to use the five minute methodology. After consulting with EPA official [REDACTED] who advised WASA officials to use the temperature change method, [REDACTED] made the decision to not advise the EPA that WASA had done the incorrect testing methodology. [REDACTED] also confirmed that WASA's 2003 annual report to the EPA, which stated it used the temperature change method in obtaining drinking water lead levels, was inaccurate. [REDACTED] stated [REDACTED] seeing the draft form of the 2003 annual report, which contained a disclosure that the wrong testing methodology was used, which [REDACTED] stated did not appear in the final draft submitted to the EPA. [REDACTED] did not know who was responsible for the removal of the disclosure from the final report.

This case was transferred to [REDACTED] on June 2, 2005. Discussions with [REDACTED] Special Agent, EPA CID, have been on-going. (b) (5), (b) (7)(E)

[REDACTED] A tentative schedule for interviews of key WASA officials has been set for late July and early August of 2005. SA [REDACTED] has agreed to communicate with AUSA JEANNE HAUCH on a frequent basis, and [REDACTED] has forwarded copies of a sample search warrant affidavit for e-mail records to SA [REDACTED]

Approved: /s/ [REDACTED]

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Status Report Form



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSING STATUS REPORT

CASE NUMBER:	04-2025	DATE:	June 2, 2005
ASSN. NUMBER:	2004-1112	OFFICE:	Northeastern-Washington
CASE TITLE:	DISTRICT OF COLUMBIA	AGENT:	[REDACTED]
	WATER AND SEWER	CASE CAT.:	Laboratory Fraud
	AUTHORITY	CASE TYPE:	False Statements
	Washington, DC	HOURS:	194

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004. Based on results of that inquiry, a case was opened on August 27, 2004. Information was received from EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. On May 21, 2004, EPA CID and EPA OIG interviewed

_____ This is an EPA-OIG investigation because Water is an EPA delegated program. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

SYNOPSIS: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Region 3, reported that WASA used the wrong sampling method to determine lead levels in drinking water. WASA employee [REDACTED] [REDACTED] was unaware of any false reports submitted to the EPA by WASA regarding lead-level water testing.

During the month of February, 2005, [REDACTED], Region 3, reported that a firm hired to review WASA's procedures, COVINGTON AND BURLING, reported WASA had used the wrong testing methodology in determining lead levels in drinking water. However, according

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to [REDACTED], the EPA never received this same information and WASA's incorrect testing methodology resulted in approximately 400 residential homes being tested incorrectly. An additional EPA "Information Request" was issued to WASA. This EPA request resulted in additional information, which included a copy of an e-mail from WASA [REDACTED]. In the e-mail to [REDACTED] acknowledges WASA's use of incorrect testing methods and suggests WASA not notify the EPA of such testing discrepancies in order to meet the statutory lead levels in Washington, D.C. residential homes. On March 14, 2005, OI met with EPA-CID to determine a course of investigative action.

On March 24, 2005, OI met with [REDACTED], EPA Region 3. [REDACTED] stated [REDACTED] was contacted by [REDACTED], during 2003 relating to the WASA drinking water sampling methodology. [REDACTED] recalled discussing with [REDACTED] the fact that WASA had been using a 5 minute sampling method as part of WASA's lead service line replacement program but was supposed to be using a temperature change method. [REDACTED] advised [REDACTED], WASA needed to use the temperature change method, as described in the regulations. [REDACTED] could not recall further detail from the [REDACTED] conversation. [REDACTED] advised that WASA previously had a drinking water lead exceedance in 1992. As a result, WASA was forced to develop a corrosion control policy, and had to monitor the drinking water in 1993 and 1994. [REDACTED] stated that line replacement is required after corrosion control is attempted but unsuccessful. On March 24, 2005, OI met with [REDACTED]. [REDACTED] stated that during the 1993-1994 lead service line testing, WASA did exceed their 10% limit. Since 1993-1994 was the first year WASA had exceeded their 10% limit, they were only required to develop corrosion control measures. [REDACTED] provided OI with copies of all Information Requests sent to WASA from EPA. [REDACTED] advised that in 2003 WASA was given the opportunity to have the deadline extended to complete the lead service line replacement. WASA declined and submitted their report in September 2003.

JUNE 2, 2005 CLOSING: On May 12, 2005, the AIGI for OI determined in the best interest of this investigation that this case be transferred to the Western Resource Center (WRC) for further investigative action. On June 2, 2005, the Washington Field Office learned that this case had been opened and reassigned the following identifiers in WRC: Assignment number 2005-1099 and Case number 05-8004. All investigative materials related to this case have been submitted to WRC. This case is closed in the Northeastern Resource Center.

Approved: /s/ [REDACTED]

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER: 04-2025 DATE: April 1, 2005
ASSN. NUMBER: 2004-1112 OFFICE: Northeastern [REDACTED]
CASE TITLE: DISTRICT OF COLUMBIA AGENT: [REDACTED]
WATER AND SEWER CASE CAT.: Laboratory Fraud
AUTHORITY CASE TYPE: False Statements
Washington, DC HOURS: 157

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004. Based on results of that inquiry, a case was opened on August 27, 2004. Information was received from EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. On May 21, 2004, EPA CID and EPA OIG interviewed

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] This is an EPA-OIG investigation because Water is an EPA delcated program. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

SYNOPSIS: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], EPA, Region 3, reported that WASA used the wrong testing methods to determine lead levels in drinking water. Instead of using the approved method of running water until temperature change, WASA used the method of running the water for five minutes, which enabled WASA's lead level results to be in their favor. WASA continued to utilize the wrong testing methods even after being advised by the EPA to change methods. WASA employee [REDACTED] was unaware of any false reports submitted to the EPA by WASA regarding lead-level water testing.

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Status Report Form

April 1, 2005

APRIL 1, 2005, UPDATE: During the month of February, 2005, [REDACTED], EPA, Region 3, reported that a firm hired to review WASA's procedures, COVINGTON AND BURLING, reported WASA had used the wrong testing methodology in determining lead levels in drinking water. However, according to [REDACTED], the EPA never received this same information and WASA's incorrect testing methodology resulted in approximately 400 residential homes being tested incorrectly. An additional EPA "Information Request" was issued to WASA.

This request resulted in additional information, which included a copy of an e-mail from WASA [REDACTED]. In the e-mail to [REDACTED] acknowledges WASA's use of incorrect testing methods, and suggests WASA not notify the EPA of such testing in order to meet the statutory lead levels in Washington, D.C. residential homes. On March 14, 2005, OI met with EPA-CID to determine a course of investigative action. (b) (5), (b) (7)(E)

[REDACTED]

On March 24, 2005, OI met with [REDACTED], EPA Region 3. [REDACTED] stated [REDACTED] was contacted by [REDACTED] employee, during 2003 relating to the WASA drinking water sampling methodology [REDACTED] recalled discussing with [REDACTED] the fact that WASA had been using a 5 minute sampling method as part of WASA's lead service line replacement program but was supposed to be using a temperature change method. [REDACTED] advised [REDACTED], WASA needed to use the temperature change method, as described in the regulations. [REDACTED] could not recall further detail from the [REDACTED] conversation. [REDACTED] advised that WASA previously had a drinking water lead exceedance in 1992. As a result, WASA was forced to develop a corrosion control policy, and had to monitor the drinking water in 1993 and 1994. [REDACTED] stated that line replacement is required after corrosion control is attempted but unsuccessful. On March 24, 2005, OI met with [REDACTED] [REDACTED] stated that during the 1993-1994 lead service line testing, WASA did exceed their 10% limit. Since 1993-1994 was the first year WASA had exceeded their 10% limit, they were only required to develop corrosion control measures. [REDACTED] provided OI with copies of all Information Requests sent to WASA from EPA. [REDACTED] advised that in 2003 WASA was given the opportunity to have the deadline extended to complete the lead service line replacement. WASA declined and submitted their report in September 2003. [REDACTED]

(b) (5)

Approved: /s/ [REDACTED]



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

90-DAY STATUS REPORT

CASE NUMBER:	04-2025	DATE:	January 1, 2005
ASSN. NUMBER:	2004-1112	OFFICE:	Northeastern-Washington
CASE TITLE:	DISTRICT OF COLUMBIA	AGENT:	[REDACTED]
	WATER AND SEWER	CASE CAT.:	Laboratory Fraud
	AUTHORITY	CASE TYPE:	False Statements
	Washington, DC	HOURS:	148

ALLEGATIONS: A Preliminary Inquiry (PI) was opened on June 2, 2004 based on information provided by EPA CID, Washington Field Office to EPA OIG, NERC regarding individuals in the District of Columbia, (DC) Water and Sewer Authority (WASA) who may have falsified data related to lead contamination in the DC water supply. The potential criminal violation is 18 U.S.C. 1001 (False Statements).

On May 21, 2004, EPA CID and EPA OIG interviewed [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

SYNOPSIS: On July 27, 2004, OI contacted [REDACTED]
[REDACTED] explained EPA Region III will issue an Administrative Order under the Safe Drinking Water Act to WASA addressing multiple violations of the lead and copper regulations. [REDACTED] provided OI with the Desk Statement and the Action Required List, which [REDACTED] prepared highlighting the requirements EPA mandated for WASA.

On September 8, 2004, EPA CID and OI met and agreed to interview [REDACTED] and ascertain the validity to his/her information. (b) (7)(E)

[REDACTED]. This interview will be scheduled and coordinated with the [REDACTED] the next reporting period.

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January 1,
2005

JANUARY 1, 2005 UPDATE: On October 6, 2004, OI and CID interviewed [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On October 20, 2004, OI and CID met with [REDACTED] [REDACTED] Region III, EPA. [REDACTED] provided copies of documents pertaining to the WASAs inspections, as well as, copies of the actual inspection forms. This review did not result in any additional investigative leads. [REDACTED] provided a copy of the Administrative Order for WASA.

On November 2, 2004, [REDACTED] provided to both OI and CID an email which explained what had occurred in 2003 with the replacement of lead pipes. [REDACTED] stated that there was confusion on the part of WASA as to the due date for the completion of the 7% of the 23,071 lead service lines in the inventory at the time. WASA thought that they had until December 2003, to complete the 1, 615 physical or "test out" replacements. [REDACTED] stated the date was not December 2003 but September 2003. [REDACTED] stated WASA had strong motivation to meet the 7% replacement goal and it would be contrary to that goal to misrepresent service lines as a material other than lead when the "test pit" procedure was done. [REDACTED] stated the contractor was already in place and if the lines were lead, the contractor would replace them. Further, the replacement would have counted toward meeting the aforementioned goal.

On November 2, 2004, OI received a copy of CID's interview of [REDACTED] [REDACTED], [REDACTED]. [REDACTED] stated [REDACTED] was not [REDACTED] and was [REDACTED] of replacing sewer lines. [REDACTED] did not inspect lines and was not aware of inspectors providing false information to EPA. [REDACTED]
[REDACTED]

On December 1, 2004, OI received from CID notification via email that subpoenas and Grand Jury dates for testimony have not been scheduled. During the next reporting period OI anticipates subpoenas and Grand Jury dates would be scheduled

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Status Report Form

Case No. 04-2025

January 1,
2005

Approved: /s/

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Status Report Form



**OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
Investigative Activity Report**

Case Name:

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (2007-CS-0025)

Conducted by:

[REDACTED]

Conducted on:

April 18, 2007

Conducted at:

US Department of Justice, 55
Fourth Street NW,
Washington, DC 20530

Prepared By:

[REDACTED]

2007-05-16 15:53:09

Approved By:

[REDACTED]

2007-06-01 11:30:35 //s//

041807, EXCEPTION: MEETING WITH UHLMANN, DAVID

On April 18, 2007, the Reporting Agent participated in a meeting between members of the District of Columbia Water and Sewer Authority (WASA) task force and DAVID UHLMANN, Chief, Environmental Crimes Division, Department of Justice, Washington, DC. The purpose of the meeting was to discuss the status of the case and information provided through the use of other investigative techniques.

Attachments:

- none

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**OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
Investigative Activity Report**

Case Name:

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (2007-CS-0025)

Conducted by:

[REDACTED]

Conducted on:

April 12, 2007

Conducted at:

US DOJ Environmental
Crimes Division, 401 D.
Street, Washington, DC
20002

Prepared By:

[REDACTED]

2007-05-15 15:03:13

Approved By:

[REDACTED]

2007-06-01 12:12:23 //s//

041207, EXCEPTION: MEETING WITH UHLMANN, DAVID

On April 12, 2007, the Reporting Agent participated in a meeting between members of the District of Columbia Water and Sewer Authority (WASA) task force, DAVID UHLMANN, Chief, Environmental Crimes Division, Department of Justice (DOJ), Washington, DC, and other senior DOJ officials. The purpose of the meeting was to discuss potential indictments in this matter. (b) (5)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Attachments:

- none

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**OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
Investigative Activity Report**

Case Name:

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (2007-CS-0025)

Conducted by:

[REDACTED]

Conducted on:

April 11, 2007

Conducted at:

USDOJ Environmental
Crimes Section, 401 D Street,
Washington, DC 20002

Prepared By:

[REDACTED]

2007-05-15 15:04:44

Approved By:

[REDACTED]

2007-06-01 11:59:39 //s//

041107, EXCEPTION: MEETING UHLMANN, DAVID

On April 11, 2007, The Reporting Agent participated in a meeting between members of the District of Columbia Water and Sewer Authority task force and DAVID UHLMANN, Chief, Environmental Crimes Division, Department of Justice (DOJ), Washington, DC. The purpose of the meeting was to discuss the (b) (5) [REDACTED] to be discussed during a meeting with senior DOJ attorneys on April 12, 2007.

Attachments:

- none

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**OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
Investigative Activity Report**

Case Name:

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (2007-CS-0025)

Conducted by:

[REDACTED]

Conducted on:

March 20, 2007

Conducted at:

Chatham, NJ

Prepared By:

[REDACTED]

Approved By:

[REDACTED]

2007-05-16 18:27:39

2007-06-01 12:14:32 //s//

032007, EXCEPTION: INTERVIEW OF [REDACTED]

On March 20, 2007, the Reporting Agent participated in an interview of [REDACTED] conducted by EPA CID Special Agent (SA) [REDACTED] is an employee of [REDACTED]

[REDACTED]. The purpose of the interview was to determine if [REDACTED] had any relevant information pertaining to improper laboratory testing methods by WASA. No substantive investigative information was obtained during this interview. SA [REDACTED] prepared the Memorandum of Interview.

Attachments:

1. Interview Itinerary

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Chatham, NJ Trip Itinerary, for [REDACTED]
February 20 through February 21, 2007

WASA - Interview witness Chatham, NJ, with EPA CID case agent.

Case Number: 2005-8004

02/20/2007 – Tuesday: Travel to Chatham, NJ

Hotel: Residence Inn

3 Gatehall Drive

Parsippany, NJ 07054

Phone # 973-984-3313

Fax # 973-984-0808

Cell # 202-380-5474

Evening interview of [REDACTED] in Chatham, NJ.

02/21/2007 - Wednesday: Travel from Parsippany, NJ to WFO.



**OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
Investigative Activity Report**

Case Name:

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (2007-CS-0025)

Conducted by:

[REDACTED]

Conducted on:

February 26, 2007

Conducted at:

[REDACTED]
[REDACTED]
[REDACTED]

Prepared By:

[REDACTED] 2007-03-06 11:30:42

Approved By:

[REDACTED] 2007-07-20 10:10:50 //s//

022607, TELEPHONIC WITNESS INTERVIEW OF: [REDACTED]

On February 26, 2007, the Reporting Agent conducted a telephonic interview of [REDACTED]. The purpose of the interview was the letter [REDACTED] received dated January 19, 2007. After advising [REDACTED] of the nature of the interview, the following information was obtained.

Identifying data on key individuals and/or entities is as follows:

[REDACTED],

Witness

[REDACTED] was interviewed telephonically. [REDACTED]

[REDACTED] had questions for DAVID UHLMANN, Attorney, Environmental and Natural Resources Divisions, Department of Justice (DOJ), Room 2815, 601 D. Street, N.W., Washington, D.C. 20004, (202) 514-2000 and THOMAS BALLANTINE, Attorney, Environmental and Natural Resources Divisions, DOJ Room 2815, 601 D. Street, N.W., Washington, D.C. 20004, (202) 514-2000; regarding a letter, dated January 19, 2007, received from [REDACTED]

[REDACTED] reviewed the letter which stated that [REDACTED] had spoken with UHLMANN at the DOJ. The letter stated that UHLMANN had acknowledged to [REDACTED] that [REDACTED] was free to meet with [REDACTED].

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UHLMANN stated that the letter accurately stated that [REDACTED] was free to meet with [REDACTED] if [REDACTED] chooses to do so. UHLMANN said that it was [REDACTED]' option to meet with [REDACTED], but it would not be an option if [REDACTED] had received a Subpoena from [REDACTED]. [REDACTED] said that [REDACTED] recently separated from [REDACTED]; and thought that [REDACTED] should work through [REDACTED] attorneys if [REDACTED] still worked for them. [REDACTED] acknowledged that [REDACTED] knew what was going on at WASA during the summer of 2003.

UHLMANN told [REDACTED] can expect to be a witness if criminal charges are referred. UHLMANN added that [REDACTED] can expect to testify and be cross examined with the intent, by the defense, of discrediting [REDACTED] testimony. UHLMANN noted that any statements that [REDACTED] volunteers to [REDACTED] might be used to contradict or discredit any testimony [REDACTED] makes during a trial.

[REDACTED] said [REDACTED] understands that [REDACTED] needs to state the truth and felt like [REDACTED] was under pressure to talk with the defense attorneys. [REDACTED] concluded that [REDACTED] understood the voluntary nature of any meetings [REDACTED] may have with [REDACTED], the issues that might result from meetings with [REDACTED] or any members of the defense, and thanked the telephone conversations participants for clarifying [REDACTED] options.

Attachments:

1. Letter from [REDACTED] from [REDACTED]



**OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS**

TELEPHONE CONVERSATION WITH [REDACTED]

On October 3, 2005, [REDACTED], Special Agent, EPA CID, had a telephone conversation with [REDACTED]. The conversation was pursuant to [REDACTED] attempting to interview [REDACTED] at [REDACTED] home earlier that same week. [REDACTED] informed [REDACTED] that [REDACTED] wanted to meet with [REDACTED] at [REDACTED] WASA office and not at [REDACTED] home, to which [REDACTED] informed [REDACTED] that this was not an option.

Attachment:

1. [REDACTED]'s report of telephone conversation with [REDACTED], dated October 3, 2005.

Investigation Conducted on: October 3, 2005	Conducted at: Denver, Colorado
Conducted by: [REDACTED]	OI File No: 2005-8004
Date Prepared: October 5, 2005	Prepared by: [REDACTED] 10/05/05

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EPA Form 2720-15 (Computer)



**OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS**

INTERVIEW OF [REDACTED]

On May 18, 2005, [REDACTED], Special Agent, EPA CID, interviewed [REDACTED]
[REDACTED]. The interview was conducted at the home of [REDACTED].

Attachment:

1. [REDACTED]'s report of the interview of [REDACTED], dated May 18, 2005.

Investigation Conducted on: May 18, 2005	Conducted at: Denver, Colorado
Conducted by: [REDACTED]	OI File No: 2005-8004
Date Prepared: May 20, 2005	Prepared by: [REDACTED] 10/05/05

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EPA Form 2720-15 (Computer)



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

INFORMATION REQUESTS

On April 1, 2005, Special Agent (SA) [REDACTED], Northeastern Resource Center received from SA [REDACTED], EPA CID, numerous records acquired by US EPA Region 3 officials. These records reflect several information requests to the District of Columbia's Water and Sewer Authority (WASA). SA [REDACTED] reviewed the information requests and found them to have no obvious investigative significance. The information requests will be stored in the Support section of the case file.

Investigation Conducted On: April 1, 2005	Conducted at: Washington, DC
Conducted by: [REDACTED]	OI File No.: 2004-2025
Date Prepared: April 1, 2005	Prepared by: [REDACTED]

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EPA Form 2720-15 (Computer)



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CHOICEPOINT REPORT

On March 30, 2005, Special Agent (SA) [REDACTED], Northeastern Resource Center, ran a choice point report for [REDACTED],

[REDACTED]. The purpose of the choice point research was to gather information regarding [REDACTED] in preparation for a future interview with [REDACTED] concerning [REDACTED] role regarding WASA's lead testing methodologies.

Attachments:

1. Choice point report

Investigation Conducted On: March 30, 2005	Conducted at: Washington, DC
Conducted by: SA [REDACTED]	OI File No.: 2004-2025
Date Prepared: March 30, 2005	Prepared by: [REDACTED] [REDACTED] [REDACTED]



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

██████████ INTERVIEW

On March 24, 2005, Special Agent (SA) ██████████, Northeastern Resource Center, SA ██████████ Western Resource Center and SA ██████████ ██████████, EPA CID, showed proper identification and interviewed ██████████ ██████████ ██████████, at EPA's Region 3 offices in Philadelphia, PA. The purpose of the interviews was to gather information concerning the District of Columbia's Water and Sewer Authority (WASA).

Attachments:

1. EPA CID Investigative Activity Report with ██████████
2. EPA CID Investigative Activity Report with ██████████

Investigation Conducted On: March 24, 2005	Conducted at: Washington, DC
Conducted by: SA ██████████	OI File No.: 2004-2025
Date Prepared: March 28, 2005	Prepared by: ██████████



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

FAXED INTERVIEW OF [REDACTED]

On December 1, 2004, SA [REDACTED], Northeastern Resource Center Office of the Inspector General, Office of Investigation, (OIG) was contacted via email, by SA [REDACTED], Washington Field Office, Criminal Investigation Division, (CID). OI previously provided identification. The purpose of this email was to establish a time to service [REDACTED]
[REDACTED]
[REDACTED].

[REDACTED] stated [REDACTED] spoke to JEAN E HAUCH, Assistant United States Attorney, Washington D.C. regarding [REDACTED] and due to HAUCH's work schedule, [REDACTED] stated she was not able to provide a subpoena for [REDACTED]. [REDACTED] also stated in [REDACTED] email [REDACTED] did not know the date for [REDACTED] [REDACTED].

Attachment:

1. [REDACTED] email dated December 1, 2004.

Investigation Conducted On: December 1, 2004	Conducted at: Washington, DC (email)
Conducted by: SA [REDACTED]	OI File No.: 2004-2025
Date Prepared: December 1, 2004	Prepared by: SA [REDACTED]



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

REPORT FAXED BY [REDACTED]

On November 18, 2004, SA [REDACTED] Northeastern Resource Center Office of the Inspector General, Office of Investigation, (OIG) reviewed a fax from SA [REDACTED], Washington Field Office, Criminal Investigation Division, (CID). The purpose of this report was to provide follow-up information related to the October 20, 2004 meeting with [REDACTED].

Attachment:

1. CID's November 4, 2004 Report of [REDACTED]

Investigation Conducted On: [REDACTED] 4	Conducted at: Washington, DC
[REDACTED]	OI File No.: 2004-2025
[REDACTED] 4	Prepared by: SA [REDACTED] <i>AL</i>

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EPA Form 2720-15 (Computer)



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

E-MAIL FROM [REDACTED]

On November 10, 2004, SA [REDACTED], Northeastern Resource Center Office of the Inspector General, Office of Investigation, (OIG) reviewed and e-mail from SA [REDACTED], Washington Field Office, Criminal Investigation Division, (CID). The purpose of this e-mail was to forward information pertaining to questions answered by [REDACTED]
[REDACTED]

Attachment:

1. E-mail forwarded to OI by [REDACTED]

Investigation Conducted On: November 10, 2004	Conducted at: Washington, DC
[REDACTED]	OI File No.: 2004-2025
[REDACTED]	Prepared by: [REDACTED]



OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

REPORT FAXED BY [REDACTED]

On November 2, 2004, SA [REDACTED] Northeastern Resource Center Office of the Inspector General, Office of Investigation, (OIG) reviewed a fax from SA [REDACTED], Washington Field Office, Criminal Investigation Division, (CID). The purpose of [REDACTED], [REDACTED], [REDACTED]

Attachment:

I. CID's November 1, 2004 Report of [REDACTED].

Investigation Conducted On: November 2, 2004	Conducted at: Washington, DC
[REDACTED]	OIG File No.: 2004-2025
	Prepared by: [REDACTED] [REDACTED]

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

E-MAIL FROM [REDACTED]

On November 2, 2004, SA [REDACTED], Northeastern Resource Center Office of the Inspector General, Office of Investigation, (OIG) reviewed and e mail from SA [REDACTED], Washington Field Office, Criminal Investigation Division, (CID). The purpose of this e mail was to provide information related to the compliance period for the District of Columbia Water and Sewer Authority of September 30, 2003.

Attachment:

1. E-mail forwarded to OI by [REDACTED].

Investigation Conducted On:	Conducted at: Washington, DC
[REDACTED]	OI File No.: 2004-2025
[REDACTED]	Prepared by: SA [REDACTED] 

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

REPORT FROM [REDACTED]

On November 2, 2004, SA [REDACTED], Northeastern Resource Center Office of the Inspector General, Office of Investigation, (OIG) reviewed via fax information from SA [REDACTED] Washington Field Office, Criminal Investigation Division, (CID). The purpose of this report was to memorialize the meeting on October 20, 2004 with both [REDACTED], Region III.

Attachment:

1. Report of October 20, 2004 with Region III.

Investigation Conducted On: [REDACTED]	Conducted at: Washington, DC
[REDACTED]	OI File No.: 2004-2025
[REDACTED]	Prepared by: SA [REDACTED] 



**OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
Investigative Activity Report**

Case Name:

IGOR - DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (2007-CS-0025)

Conducted by:

[REDACTED]

Conducted on:

November 14, 2007

Conducted at:

1595 Wynkoop, Denver, CO
80202

Prepared By:

[REDACTED] 2007-11-15 17:00:34

Approved By:

[REDACTED] 2007-11-15 17:41:57 //s//

111407, EXCEPTION: COORDINATION WITH DOJ ATTORNEY

On November 14, 2007, Reporting Agent (RA) spoke with THOMAS BALLANTINE (BALLANTINE), Attorney, U.S. Department of Justice (DOJ), Washington, DC, regarding the

(b) (5)

BALLANTINE indicated (b) (5)

[REDACTED] JEFFREY TAYLOR (TAYLOR), current U.S. Attorney for the District of Columbia. BALLANTINE anticipated that TAYLOR' (b) (5)

[REDACTED] Once completed, BALLANTINE would contact RA.

No further information was provided and the conversation was terminated.

Attachments:

- none

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[REDACTED] DC/USEPA/US
07/11/2007 11:39 AM

To [REDACTED] OIG/USEPA/US@EPA
cc
bcc

Subject Re: WASA Memo's [REDACTED]

History: [REDACTED] This message has been replied to.

[REDACTED]
My reports are in our system and I do not know if I can email from there. I can fax you copies of reports then you can scan or do what you would like with them. What other reports would you like other than [REDACTED]

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED] OIG/USEPA/US



[REDACTED] OIG/USEPA/US
07/10/2007 10:02 AM

To [REDACTED] DC/USEPA/US@EPA
cc
Subject WASA Memo's

Hey [REDACTED]

Hope all is well over there. I've been updating some case files to conform to our new automated/paper case management system (aka TIGER). When y [REDACTED] e, can you e-mail (as attachments) some of the final MOI's you have (such as the one for [REDACTED] that we did together so I can print them out for the paper case file and scan them for our (EPA OIG's) associated automated system? Thanks allot [REDACTED] and I hope this request is a simple one.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED]DC/USEPA/US
04/16/2007 03:49 PM

To "Schmidt, Angela \USADC\" <Angela.Schmidt@usdoj.gov>
cc "[REDACTED] \ENRD\"
<[REDACTED]@usdoj.gov>, "Uhlmann, David \ENRD\"
<David.Uhlmann@usdoj.gov>, "Ballantine, Thomas
bcc
Subject RE: This weeks activity for WASA [REDACTED]

Thank you. That is helpful.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Schmidt, Angela \USADC\" <Angela.Schmidt@usdoj.gov>



"Schmidt, Angela \USADC\"
<Angela.Schmidt@usdoj.gov>
>
04/16/2007 03:46 PM

To [REDACTED]DC/USEPA/US@EPA, "Uhlmann, David
\ENRD\" <David.Uhlmann@usdoj.gov>
cc "[REDACTED] \ENRD\"
<[REDACTED]@usdoj.gov>, "Ballantine, Thomas
\ENRD\" <Thomas.Ballantine@usdoj.gov>, [REDACTED]
Subject RE: This weeks activity for WASA

(b) (5), (b) (6), (b) (7)(C)

-----Original Message-----

From: [REDACTED]@epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Monday, April 16, 2007 3:12 PM

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); [REDACTED] (ENRD); Ballantine,
Thomas (ENRD); [REDACTED]@epamail.epa.gov

Subject: Re: This weeks activity for WASA

(b) (5), (b) (6), (b) (7)(C)

Thanks

[REDACTED]
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Uhlmann, David
(ENRD) "
<DUhlmann@ENRD.U
SDOJ.GOV>

04/16/2007 01:39
PM

To
[REDACTED]/DC/USEPA/US@EPA,
"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
CC
" [REDACTED] (ENRD) "
[REDACTED]@ENRD.USDOJ.GOV>,
[REDACTED] OIG/USEPA/US@EPA,
"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
Subject
Re: This weeks activity for WASA

Nothing else scheduled. (b) (5), (b) (6), (b) (7)(C)
[REDACTED]

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]
To: Ballantine, Thomas (ENRD)
Cc: [REDACTED] (ENRD); Uhlmann, David (ENRD);
[REDACTED]

Schmidt, Angela (USADC)
Sent: Mon Apr 16 13:32:56 2007
Subject: This weeks activity for WASA

All-

Do we have anything else scheduled for WASA this week in addition to Wednesdays GJ. I will be taking part in a school presentation tomorrow for National Environmental Crimes Prevention Week, so I will be unavailable most of tomorrow. Please contact me on my cell if you need to talk to me tomorrow.

Thanks

[REDACTED]
Special Agent

U.S. Environmental Protection Agency
Criminal Investigation Division

[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

06/08/2007 04:25 PM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>

cc "Uhlmann, David (ENRD)"

<DUhlmann@ENRD.USDOJ.GOV>, [REDACTED]
(ENRD)" [REDACTED] ENRD.USDOJ.GOV>, [REDACTED]

bcc

Subject lprot2k.pdf

History:

📧 This message has been forwarded.

Hi All:

(b) (5), (b) (6), (b) (7)(C)



Any amendments to be made. I told him I'd call him back to confirm my gut responses.

Warm regards,

Tom Ballantine
Trial Attorney
(202)514-2956



<<lprot2k.pdf>> lprot2k.pdf

[REDACTED]
08/07/2003 03:43 PM

To
cc

[REDACTED]
Subject: Lead Service Replacement Sampling Update

[REDACTED]
As you are aware, we were very concerned because the pass rate on the replacement sampling program had taken a nose dive recently such that the prior 75-80% pass rate had degenerated to a 25% pass rate. Our fall back plan of supplementing the physical replacement program with sample replacement to meet the 9/30 deadline was thus in jeopardy. In an update this afternoon, [REDACTED] informed me that a geographic analysis, using GIS, revealed that the low pass rate is geographically related; i.e. certain areas of Ward 4 have much higher lead concentrations than other areas of the city. There is some influence of temperature as well; i.e. higher summer temperatures are making concentrations city-wide higher. But the main impact seems to be this geographic phenomena.

With this insight, the accelerated sampling program will target areas other than those hot spots in Ward 4. Since a lot of prior sampling has been done in Ward 4, we can do this and still maintain sufficient geographic diversity. [REDACTED] is confident that we will now be able to achieve at least 1600 passed samples/replacements.

FYI, the split sampling has ruled out lab procedure as the cause of the high failure rate.

This certainly demonstrates the power of GIS analysis for this type of thing.

[REDACTED]

CB001911

[REDACTED]
08:07/2003 03:43 PM

To: [REDACTED]

CC: [REDACTED]

Subject: Lead Service Replacement Sampling Update

[REDACTED]

As you are aware, we were very concerned because the pass rate on the replacement sampling program had taken a nose dive recently such that the prior 75-80% pass rate had degenerated to a 25% pass rate. Our fall back plan of supplementing the physical replacement program with sample replacement to meet the 9/30 deadline was thus in jeopardy. In an update this afternoon, [REDACTED] informed me that a geographic analysis, using GIS, revealed that the low pass rate is geographically related; i.e. certain areas of Ward 4 have much higher lead concentrations than other areas of the city. There is some influence of temperature as well; i.e. higher summer temperatures are making concentrations city-wide higher. But the main impact seems to be this geographic phenomena.

With this insight, the accelerated sampling program will target areas other than those hot spots in Ward 4. Since a lot of prior sampling has been done in Ward 4, we can do this and still maintain sufficient geographic diversity. [REDACTED] is confident that we will now be able to achieve at least 1600 passed samples/replacements.

FYI, the split sampling has ruled out lab procedure as the cause of the high failure rate.

This certainly demonstrates the power of GIS analysis for this type of thing.

[REDACTED]

CB001911



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

05/29/2007 11:19 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

cc

bcc

Subject [REDACTED] has confirmed the following dates and
times for [REDACTED]

History:

This message has been replied to and forwarded.

Dear teammates:

[REDACTED] has confirmed the following dates and times for [REDACTED] can you
support these?

2:00p on 6/4 for pre-meeting at 601 D st. NW.

3:00p scheduled GJ on the 6/7.

Cheers,

TTB



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

05/14/2007 10:17 AM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED]

bcc

Subject WASA items

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Any worries?

Warm regards,

Tom Ballantine
Trial Attorney
(202)514-2956



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

04/16/2007 02:57 PM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>,
cc "[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>

bcc

Subject RE: This weeks activity for WASA

History: This message has been forwarded.

Makes sense to Tom.

[REDACTED] is "working" [REDACTED] so she'll probably agree to anything.

From: Schmidt, Angela (USADC) [mailto:Angela.Schmidt@usdoj.gov]
Sent: Monday, April 16, 2007 2:31 PM
To: Uhlmann, David (ENRD); [REDACTED] ne, Thomas (ENRD)
Cc: [REDACTED] (ENRD); [REDACTED]
Subject: RE: This weeks activity for WASA

(b) (5), (b) (6), (b) (7)(C)

From: Uhlmann, David (ENRD)
Sent: Monday, April 16, 2007 1:39 PM
To: [REDACTED] epamail.epa.gov; Thomas.Ballantine@usdoj.gov
Cc: [REDACTED] usdoj.gov; [REDACTED] ov; Schmidt, Angela (USADC)
Subject: Re: This weeks activity for WASA

Nothing else scheduled. (b) (5), (b) (6), (b) (7)(C)

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]
To: Ballantine, Thomas (ENRD)
Cc: [REDACTED] (ENRD); Uhlmann, David (ENRD); [REDACTED]
[REDACTED] Schmidt, Angela (USADC)

Sent: Mon Apr 16 13:32:56 2007
Subject: This weeks activity for WASA

All-

Do we have anything else scheduled for WASA this week in addition to Wednesdays GJ. I will be taking part in a school presentation tomorrow for National Environmental Crimes Prevention Week, so I will be unavailable most of tomorrow. Please contact me on my cell if you need

to talk to me tomorrow.

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED]
04/16/2007 03:12 PM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>, "Ballantine, Thomas
bcc

Subject Re: This weeks activity for WASA [REDACTED]

History: [REDACTED] This message has been forwarded.

(b) (5), (b) (6), (b) (7)(C)

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.
GOV>
04/16/2007 01:39 PM

To [REDACTED] DC/USEPA/US@EPA, "Ballantine, Thomas
(ENRD)" <TBalenti@ENRD.USDOJ.GOV>
cc [REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV> [REDACTED]
[REDACTED] DC/USEPA/US@EPA, "Schmidt, Angela
(USADC)" <Angela.Schmidt@usdoj.gov>
Subject Re: This weeks activity for WASA

Nothing else scheduled. (b) (5), (b) (6), (b) (7)(C)

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]
To: Ballantine, Thomas (ENRD)
Cc: [REDACTED] (ENRD); Uhlmann, David (ENRD); [REDACTED]
[REDACTED]; Schmidt, Angela (USADC)
Sent: Mon Apr
Subject: This weeks activity for WASA

All-

Do we have anything else scheduled for WASA this week in addition to Wednesdays GJ. I will be taking part in a school presentation tomorrow for National Environmental Crimes Prevention Week, so I will be unavailable most of tomorrow. Please contact me on my cell if you need to talk to me tomorrow.

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED] DC/USEPA/US
04/16/2007 01:32 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
cc "[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>, "Uhlmann
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV>, [REDACTED]
bcc
Subject This weeks activity for WASA [REDACTED]

All-

Do we have anything else scheduled for WASA this week in addition to Wednesdays GJ. I will be taking part in a school presentation tomorrow for National Environmental Crimes Prevention Week, so I will be unavailable most of tomorrow. Please contact me on my cell if you need to talk to me tomorrow.

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED] DC/USEPA/US

03/28/2007 01:30 PM

To [REDACTED]

cc

bcc

Subject Re: [REDACTED] interview [REDACTED]

History:

 This message has been replied to.

Thanks [REDACTED] If it is too late to change your report, dont worry about it, but [REDACTED]
Start of paragraph two of your report.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED]
03/28/2007 11:33 AM

To [REDACTED]

cc

Subject Re: [REDACTED] interview [REDACTED]

He [REDACTED]

Hope the trip to Norfolk went well. I ended up just working out at the hotel and heading home. I don't necessarily think these are relevant, but they were in my notes and not in your narrative -

- [REDACTED]
- [REDACTED] thinks most utilities don't know about water quality and what to do if their systems are in contact with certain metals.
- [REDACTED] to do some research about lead fixture replacement and how entities were paying for it. [REDACTED] recalls concerns about asking customers to pay for lead fixture replacements
- [REDACTED] recalled telling [REDACTED], when asked about an issue that [REDACTED] sure of, typically to ask the EPA about how to interpret an LCR and to get EPA's response in writing
- [REDACTED] is sure EPA would not give their approval for a non- approved method of lead level testing.

As a footnote, below is a Memorandum of Interview for a conversation that Dave and Tom asked be to participate in (telephonically) and make a memorandum of (you were at FLETC). The memorandum was generated from our new TIGER case management system, that still has many bugs.

[attachment "Memorandum of Interview - [REDACTED] 022607.rtf" deleted by [REDACTED] DC/USEPA/US]

[REDACTED]
Office of Investigations
Washington, DC
[REDACTED]
[REDACTED]

[REDACTED]
03/26/2007 01:23 PM

cc

Subject [REDACTED] interview

[REDACTED]
Please review and let me know if you have any changes/suggestions. Thanks

{attachmen [REDACTED] deleted b [REDACTED] C/USEPA/US}

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED]
03/26/2007 01:23 PM

To [REDACTED]

cc

bcc

Subject [REDACTED] interview

History:

 This message has been replied to.

[REDACTED]
Please review and let me know if you have any changes/suggestions. Thanks



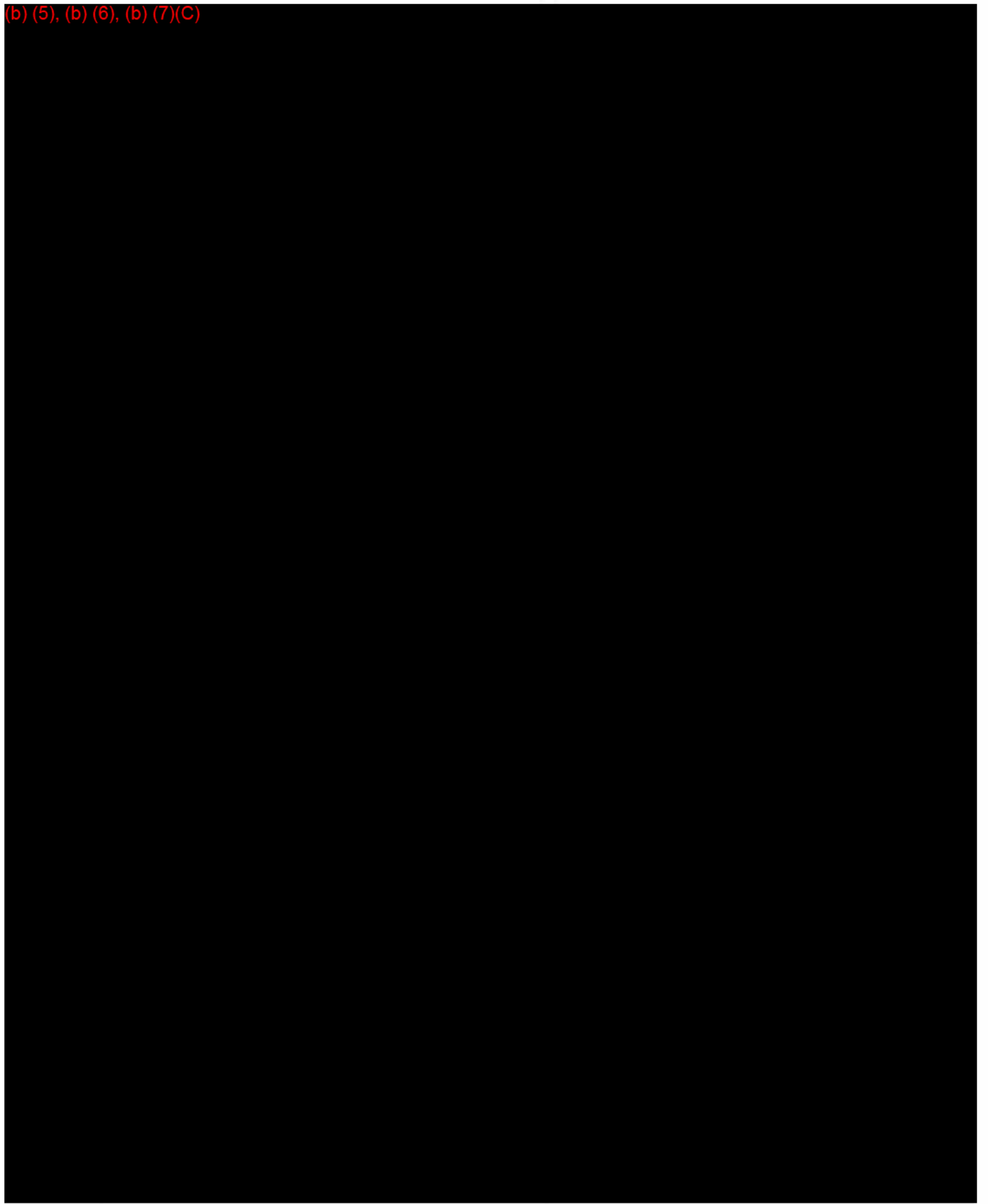
[REDACTED].doc

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

(b) (5), (b) (6), (b) (7)(C)



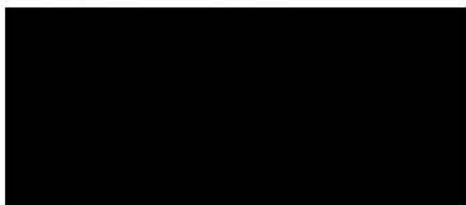
(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



Identifiers





[REDACTED] DC/USEPA/US
03/14/2007 03:46 PM

To [REDACTED] OIG/USEPA/US@EPA
cc [REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>
bcc
Subject RE: WASA Document Update [REDACTED]

[REDACTED]
I plan on being at ECS tomorrow starting at 9:30. You are welcome to join me.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US
03/14/2007 03:44 PM

To [REDACTED] (ENRD)"
[REDACTED] .USDOJ.GOV>
cc [REDACTED] SEPA/US@EPA
Subject RE: WASA Document Update [REDACTED]

Hi [REDACTED],

Any update about if and when we are meeting to look at the [REDACTED] -mails this week? Thanks.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED] (ENRD)" [REDACTED]@ENRD.USDOJ.GOV>



[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.
GOV>
03/13/2007 09:51 AM

To [REDACTED]
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUHlmann@ENRD.USDOJ.GOV>, "Ballantine, Thomas
(ENRD)" <TBalenti@ENRD.USDOJ.GOV>
Subject RE: WASA Document Update

The [REDACTED] mail review shouldn't been too strenuous -- there are only
about [REDACTED] pages. I'll have copies made.

(b) (5)

-----Original Message-----

From: [REDACTED]
[mail [REDACTED]]
Sent: March 13, 2007 9:21 AM
To: [REDACTED]@epamail.epa.gov
Cc: Schmidt, Angela (USADC); [REDACTED] (ENRD); Uhlmann, David (ENRD); Ballantine, Thomas (ENRD)
Subject: RE: WASA Document Update

I'll be glad to work with [REDACTED] reviewing the e-mails, on the dates [REDACTED] mentioned (below).

[REDACTED]
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED]/DC/USEPA

03/12/2007 04:04
PM

"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

To

"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>,
"[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>,
"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>,
[REDACTED]

cc

/OIG/USEPA/US@EPA

Subject

RE: WASA Document Update (Document
link: [REDACTED])

I havent seen any of the emails. I can review them if I can get a copy or I can review some at ECS Thurs - Friday this week.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency

Criminal Investigation Division

"Uhlmann, David
(ENRD) "
<DUhlmann@ENRD.U
SDOJ.GOV>

03/12/2007 02:56
PM

To

"[REDACTED] (ENRD) "
[REDACTED]@ENRD.USDOJ.GOV>,
"Ballantine, Thomas (ENRD) "
<TBalenti@ENRD.USDOJ.GOV>,
"Schmidt, Angela (USADC) "
<Angela.Schmidt@usdoj.gov>,

[REDACTED] OIG/USEPA/US@EPA, [REDACTED]
[REDACTED] DC/USEPA/US@EPA

cc

Subject

RE: WASA Document Update

All,

Where are we on [REDACTED] email review?

David

From: [REDACTED] (ENRD)
Sent: Tuesday, February 13, 2007 2:25 PM
To: Ballant [REDACTED]; Uhlmann, David (ENRD); Schmidt,
Angela (USADC); [REDACTED]@epamail.epa.gov;
[REDACTED]@epamail.epa.gov

Subject: WASA Document Update

All,

(b) (5), (b) (6), (b) (7)(C)

(b) (5), (b) (6), (b) (7)(C)



Here's a brief index so you have a sense of what everything is.

<< File: #165105-v1-WASA [REDACTED]_Box_Index.DOC >>

2. The [REDACTED] emails have been loaded to the WASA_ECS database. There are 490 pages of e-mails and attachments. I have not reviewed them yet, but I could if that would be helpful. [REDACTED] will be in for part of Thursday and all Friday to help me with CaseMap -- we could take a look at them then.

Let me know if you need anything else!

[REDACTED]
Paralegal
Environmental Crimes Section
U.S. Department of Justice
[REDACTED]

[REDACTED] DC/USEPA/US
03/12/2007 04:04 PM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, "Ballantine, Thomas
bcc
Subject RE: WASA Document Update [icon]

History: [icon] This message has been replied to.

I havent seen any of the emails. I can review them if I can get a copy or I can review some at ECS Thurs - Friday this week.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>
03/12/2007 02:56 PM

[REDACTED] (ENRD)"
[REDACTED] USDOJ.GOV>, "Ballantine, Thomas
To (ENRD)" <TBalenti@ENRD.USDOJ.GOV>, "Schmidt, Angela
(USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED]
[REDACTED]
cc
Subject RE: WASA Document Update

All,

Where are we on [REDACTED] email review?

David

From: [REDACTED] (ENRD)
Sent: Tuesday, February 13, 2007 2:25 PM

[REDACTED] Uhlmann, David (ENRD); Schmidt, Angela (USADC); [REDACTED]

Subject: WASA Document Update

All,

(b) (5), (b) (6), (b) (7)(C)



Here's a brief index so you have a sense of what everything is.

<< File: #165105-v1-WAS [REDACTED] Box_Index.DOC >>

2. The [REDACTED] emails have been loaded to the WASA_ECS database. There are 490 pages of e-mails and attachments. I have not reviewed them yet, but I could if that would be helpful. [REDACTED] will be in for part of Thursday and all Friday to help me with CaseMap -- we could take a look at them then.

Let me know if you need anything else!

[REDACTED]
[REDACTED]
Paralegal
Environmental Crimes Section
U.S. Department of Justice
[REDACTED]

[REDACTED] DC/USEPA/US
03/06/2007 10:28 AM

To [REDACTED] OIG/USEPA/US@EPA
cc
bcc
Subject Re: Interview of [REDACTED]

Thanks. FLETC was FLETC

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US
03/06/2007 10:26 AM

To [REDACTED] DC/USEPA/US@EPA
cc
Subject Re: Interview of [REDACTED]

Sure [REDACTED] We did a telephone interview of [REDACTED], regarding a [REDACTED] received from [REDACTED]. I will forward a copy to you electronically. Hope the FLETC training went well.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED] DC/USEPA/US
03/06/2007 10:22 AM

To [REDACTED] OIG/USEPA/US@EPA
cc
Subject Interview of [REDACTED]

[REDACTED]
Are you available to go up to NJ (like we had planned a couple weeks ago), but now to go on March 20 for a 6pm interview

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.G
OV>

02/26/2007 04:31 PM

To [REDACTED] OIG/USEPA/US@EPA

cc

bcc

Subject RE: January 19, Letter

Thanks [REDACTED]

I left [REDACTED] a message at that number and will bear what you mentioned in mind.

-----Original Message-----

From: [REDACTED]

[mail

Sent: Monday, February 26, 2007 4:16 PM

To: Ballantine, Thomas (ENRD)

Subject: January 19, Letter

Tom,

I got the letter you faxed to me and will include it as an attachment to the memorandum of the telephone conversation today. Also, thank you for taking the time to talk to [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

02/22/2007 10:56 AM

To [REDACTED] DC/USEPA/US@EPA

cc [REDACTED] (ENRD)"

[REDACTED] ENRD.USDOJ.GOV>, "Uhlmann, David
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV> [REDACTED]

bcc

Subject R [REDACTED] attorney just called me back.

History:

This message has been replied to.

[REDACTED] can you please plan to be hear at 601 D St NW at 1230 next
Wednesday for our 1:00 interview with [REDACTED]

Thanks,
Tom B.

-----Original Message-----

From: [REDACTED]

Sent: Wednesday, February 21, 2007 11:11 AM

To: Ballantine, Thomas (ENRD)

Cc: [REDACTED] (ENRD); Uhlmann, David (ENRD);

Subject: Re: [REDACTED] attorney just called me back.

I just spoke to Tom, but just so everyone else knows, I will be at FLETC
(training center in Ga.) all next week for a mandatory CID training. I
have spoken to [REDACTED] and [REDACTED] is available Wed. or Thurs. next week to
participate in the interview. [REDACTED] can then generate the report for the
interview. Please let [REDACTED] know when the day and time is set for the
interview.

"Ballantine,
Thomas (ENRD)"
<TBalenti@ENRD.U
SDOJ.GOV>

02/21/2007 10:44
AM

To
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>, [REDACTED]
[REDACTED] DC/USEPA/US@EPA

cc

[REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>

Subject

[REDACTED] attorney just called me
back.

(b) (5), (b) (6), (b) (7)(C)



What shall we do next?

Cheers,

TTB

-----Original Message-----

From: Uhlmann, David (ENRD)

Sent: Wednesday, February 21, 2007 9:58 AM

To: [REDACTED] epamail.epa.gov'; Ballantine, Thomas (ENRD)

Subject: RE: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)



-----Original Message-----

From: [REDACTED] epamail.epa.gov]

Sent: Wednesday, February 21, 2007 9:56 AM

To: Ballantine, Thomas (ENRD)

Cc: Uhlmann, David (ENRD)

Subject: RE: [REDACTED]

Ok Thanks.

(b) (5)



See you tomorrow. Looking forward to seeing [REDACTED] again



Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division

"Ballantine,
Thomas (ENRD) "
<TBalenti@ENRD.U
SDOJ.GOV>

02/21/2007 09:44
AM

C/USEPA/US@EPA

To

CC

"Uhlmann, David (ENRD) "
<DUhlmann@ENRD.USDOJ.GOV>

Subject

RE:

(b) (5), (b) (6), (b) (7)(C)

Warm regards,

Tom B.

-----Original Message-----

From:

Sent: Wednesday, February 21, 2007 9:34 AM

To: Ballantine, Thomas (ENRD)

Subject: Re:

I left him a message at both numbers this morning and again told the
date and time for testimony. I will wait and to hear from I
told I wanted to get the subpoena to today. (b) (5)

Also, do we have a time for the meeting with tomorrow

[REDACTED]
Special Agent

U.S. Environmental Protection Agency
Criminal Investigation Division

[REDACTED]

[REDACTED] DC/USEPA/US
02/21/2007 11:10 AM

To "Ballantine, Thomas (ENRD)"
SDOJ.GOV>
cc [REDACTED] (ENRD)"
[REDACTED].USDOJ.GOV>, "Uhlmann, David
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV> [REDACTED]
bcc [REDACTED]
Subject R [REDACTED] attorney just called me back. [REDACTED]

I just spoke to Tom, but just so everyone else knows, I will be at FLETC (training center in Ga.) all next week for a mandatory CID training. I have spoken to [REDACTED] and [REDACTED] is available Wed. or Thurs. next week to participate in the interview. [REDACTED] can then generate the report for the interview. Please let [REDACTED] know when the day and time is set for the interview.

[REDACTED]

"Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
02/21/2007 10:44 AM

To "Uhlmann, David (ENRD)"
ann@ENRD.USDOJ.GOV> [REDACTED]
[REDACTED] DC/USEPA/US@EPA
cc [REDACTED] (ENRD)"
Subject [REDACTED] attorney just called me back.

(b) (5), (b) (6), (b) (7)(C)



Cheers,

TTB

-----Original Message-----

From: Uhlmann, David (ENRD)

Sent: Wednesday, February 21, 2007 9:58 AM

To: [REDACTED]@epamail.epa.gov'; Ballantine, Thomas (ENRD)

Subject: RE: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)



-----Original Message-----

From: [REDACTED]@epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Wednesday, February 21, 2007 9:56 AM

To: Ballantine, Thomas (ENRD)

Cc: Uhlmann, David (ENRD)

Subject: RE: [REDACTED]

Ok Thanks.

(b) (5)



See you tomorrow. Looking forward to seeing [REDACTED] again

[REDACTED]
Special Agent

U.S. Environmental Protection Agency
Criminal Investigation Division

"Ballantine,
Thomas (ENRD)"
<TBalenti@ENRD.U
SDOJ.GOV>

02/21/2007 09:44
AM

DC/USEPA/US@EPA

To

cc

"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

Subject

RE:

(b) (5), (b) (6), (b) (7)(C)

Warm regards,

Tom B.

-----Original Message-----

From:

Sent: Wednesday, February 21, 2007 9:34 AM
To: Ballantine, Thomas (ENRD)
Subject: Re:

I left a message at both numbers this morning and again told the
date and time for testimony. I will wait and to hear from I
told I wanted to get the subpoena to today. (b) (5)

Also, do we have a time for the meeting with tomorrow

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

02/13/2007 02:37 PM

To: "[REDACTED] (ENRD)"
<[REDACTED]@ENRD.USDOJ.GOV>, "Uhlmann, David
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV>

cc

bcc

Subject: RE: WASA Document Update

[REDACTED]
Thank you all very much. It's a big plus to have that checked off and behind us.

-Tom B.

From: [REDACTED] (ENRD)

Sent: Tuesday, February 13, 2007 2:25 PM

To: Ballantine, Thomas (ENRD); Uhlmann, David (ENRD); Schmidt, Angela (USADC); [REDACTED]
[REDACTED]

Subject: WASA Document Update

All,

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Here's a brief index so you have a sense of what everything is.

<< File: #165105-v1-WASA [REDACTED] Box_Index.DOC >>

2. The [REDACTED] emails have been loaded to the WASA_ECS database. There are 490 pages of e-mails and attachments. I have not reviewed them yet, but I could if that would be helpful. [REDACTED] will be in for part of Thursday and all Friday to help me with CaseMap -- we could take a look at them then.

Let me know if you need anything else!

[REDACTED]
Paralegal

Environmental Crimes Section

U.S. Department of Justice





"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

02/08/2007 03:59 PM

To: Greg Horvath/DC/USEPA/US@EPA, [REDACTED]
(ENRD) [REDACTED] ENRD.USDOJ.GOV>
cc: "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>, [REDACTED]

bcc

Subject: RE: WASA To-Do List

(b) (5), (b) (6), (b) (7)(C)

-TTB

-----Original Message-----

From: [REDACTED]
Sent: Thursday, February 08, 2007 3:50 PM
To: [REDACTED] (ENRD)
Cc: Schmidt, Angela (USADC); Uhlmann, David (ENRD); Ballantine, Thomas (ENRD);
[REDACTED]
Subject: Re: WASA To-Do List

Is the 2/22, meeting with [REDACTED] already set, or is that just a possibility.

(b) (5)

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED]
[REDACTED] (ENRD) "
[REDACTED] ENRD
<[REDACTED]@ENRD.USDOJ.GOV>

02/02/2007 11:52
AM

"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>,
"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>,
"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]

To

WASA To-Do List

Subject

Hey all,

As of today, here's the current WASA to-do list. Let me know if there are any changes, and I'll keep it updated!

[REDACTED]

WASA To-Do List

2/2/2007

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

1 [REDACTED]
2 Subpoena compliance

· WASA witnesses to follow Pros Review
· [REDACTED]

1 [REDACTED]

· [REDACTED]
· [REDACTED] - push until after the indictment

· Witness Interviews
· WASA - to be completed before indictment
· [REDACTED] trip to Houston if he says yes?

1 [REDACTED]

· [REDACTED]
· [REDACTED] has scheduled for end of Feb.
· [REDACTED]
· [REDACTED] touch-up -- schedule for after indictment review,
before indictment
· EPA touch-up -- also schedule for after indictment review,
before indictment

<<#164370-v1-WASA To Do_List.DOC>>

[REDACTED]
[REDACTED]
Paralegal
Environmental Crimes Section
U.S. Department of Justice
(202)616-2526 (See attached file: #164370-v1-WASA To_Do_List.DOC)

[REDACTED] DC/USEPA/US
02/08/2007 03:49 PM

To " [REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>, "Ballantine, Thomas"
bcc
Subject Re: WASA To-Do List [REDACTED]

David or Tom-

Is the 2/22, meeting with [REDACTED] already set, or is that just a possibility.

(b) (5)

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency

[REDACTED]
[REDACTED] (ENRD)" [REDACTED]@ENRD.USDOJ.GOV>



[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.
GOV>
02/02/2007 11:52 AM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>, "Schmidt, Angela
(USADC)" <Angela.Schmidt@usdoj.gov>, "Ballantine,
Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV> [REDACTED]

cc [REDACTED]

Subject WASA To-Do List

Hey all,

As of today, here's the current WASA to-do list. Let me know if there are any changes, and I'll keep it updated!

[REDACTED]

WASA To-Do List

2/2/2007


(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



<<#164370-v1-WASA_To_Do_List.DOC>>


Paralegal

Environmental Crimes Section

U.S. Department of Justice



 #164370-v1-WASA_To_Do_List.DOC

WASA To-Do List
2/2/2007

(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



[REDACTED] DC/USEPA/US

02/02/2007 02:27 PM

To [REDACTED] /OIG/USEPA/US@EPA

cc

bcc

Subject: Doc. Review

History:  This message has been replied to.

I have made arrangements to review the 32 boxes at [REDACTED] on 2/9 at 10:15.

[REDACTED] if you can make please let me know.

[REDACTED] Let me know if you need to be picked up. Just let me know where. [REDACTED] office is at [REDACTED] W.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.
GOV>

02/02/2007 11:52 AM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>, "Schmidt, Angela
(USADC)" <Angela.Schmidt@usdoj.gov>, "Ballantine,
cc
bcc
Subject WASA To-Do List

Hey all,

As of today, here's the current WASA to-do list. Let me know if there are any changes, and I'll keep it updated!

[REDACTED]

WASA To-Do List

2/2/2007


(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



<<#164370-v1-WASA_To_Do_List.DOC>>

 
Paralegal

Environmental Crimes Section

U.S. Department of Justice



 #164370-v1-WASA_To_Do_List.DOC



[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.
GOV>

02/02/2007 11:28 AM

To: [REDACTED] OIG/USEPA/US@EPA
cc
bcc

Subject: RE: Archive Mailfile process completion!

History: This message has been forwarded.

[REDACTED]

You know, I think if the file is 35megs, it's going to be too large for our servers to take it, anyway. If you wouldn't mind burning it onto a CD and overnighting it to me via FedEx, that would probably solve all of our problems.

My address:

[REDACTED]
[REDACTED]
Washington, DC 20004

Thanks!

-----Original Message-----

From: [REDACTED]@epa.gov
[mailto:[REDACTED]@epa.gov]
Sent: Friday, February 02, 2007 9:32 AM
To: [REDACTED] (ENRD)
Cc: [REDACTED]
Subject: Fw: Archive Mailfile process completion!

[REDACTED]

Per our conversation today, hopefully this will get through soon. This is the message I got (below). I am going to resend it as a high importance message and see what happens.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC

[REDACTED]
[REDACTED]
----- Forwarded by [REDACTED] OIG/USEPA/US on 02/02/2007 09:30 AM

Your Fw: Archive Mailfile process completion!
document
:

[REDACTED]@usdoj.gov, [REDACTED] ENRD.USDOJ.GOV

Router: Message transfer for 2 recipients has been delayed
until low priority time range 09:30:00 PM - 06:00:00 AM

What should you do?

This message is an informational Delivery Status Notification and does not require any further action.

Delivery to the recipients indicated above has been delayed. You do not need to resend this message. The server will continue to attempt message delivery.

DCOIGNOTES1/OIG/USEPA/US, EPAHUB11/USEPA/US, EPAHUB11/USEPA/US,
DCOIGNOTES1/OIG/USEPA/US

To: [REDACTED]@usdoj.gov

cc: [REDACTED] ENRD.USDOJ.GOV

Date: 09:24:21 AM Today

Subject: Fw: Archive Mailfile process completion!

[REDACTED] OIG/USEPA/US

02/01/2007 12:48 PM

T [REDACTED] OIG/USEPA/US@EPA

cc

bcc

Subject: Archive Mailfile process completion!

History:

📧 This message has been forwarded.

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (6), (b) (7)(C), (b) (7)(E)







"[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.
GOV>

02/01/2007 01:48 PM

To: [REDACTED] OIG/USEPA/US@EPA
cc
bcc
Subject: RE: [REDACTED] e-mails

[REDACTED]

Could you give me an update on these? Let me know if you're having any problems.

[REDACTED]

-----Original Message-----

From: [REDACTED] epamail.epa.gov
[mailto:[REDACTED] epamail.epa.gov]
Sent: Wednesday, January 31, 2007 12:42 PM
To: [REDACTED] (ENRD)
Cc: [REDACTED] (ENRD)
Subject: RE: [REDACTED] e-mails

Hi [REDACTED]

I should be getting the files in a zipped and nsf format about 1:30 pm today. It will be from [REDACTED] and I will forward it to you. The individual e-mails will say from [REDACTED] to me and will contain the e-mails of interest attached below (like our previous correspondence is attached below). [REDACTED] is the [REDACTED] person in [REDACTED] that I worked with to retrieve the e-mails and then forwarded them to me. If you have any questions or problems regarding this please let me know. I am working at [REDACTED] today and can also be reached by cell phone. Thank you.

[REDACTED]

Office of Investigations
Washington, DC

[REDACTED]

"[REDACTED] (ENRD)"
[REDACTED] ENRD
.USDOJ.GOV>

01/31/2007 10:12
AM

To: [REDACTED] OIG/USEPA/US@EPA
cc
Subject
RE: [REDACTED] e-mails

[REDACTED]

Wow, you definitely haven't been having the best couple of days! Hope you're feeling better! Thanks for your help.

[REDACTED]

-----Original Message-----

From: [REDACTED]@epamail.epa.gov
[mailto:[REDACTED]@epamail.epa.gov]
Sent: Wednesday, January 31, 2007 9:53 AM
To: [REDACTED] (ENRD)
Cc: Schmidt, Angela (USADC)
Subject: Re: [REDACTED] e-mails

Hi [REDACTED]

I will be working to get you those today. [REDACTED]

[REDACTED]

I will
be working at [REDACTED] if you need to call me directly.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC

[REDACTED]

"[REDACTED] (ENRD)"
[REDACTED]@ENRD
<[REDACTED].USDOJ.GOV>

01/30/2007 11:01
AM

To
[REDACTED]OIG/USEPA/US@EPA
CC

"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>

Subject

[REDACTED] e-mails

[REDACTED]

I was wondering what the status was on the [REDACTED] e-mails -- have you had

your IT person export the files yet? Also, if there's going to be some delay on that, would it be possible for us to get hard copies to tide us over until we can get the electronic version? Angie's hoping to get some work on the pros memo this week and those would be very helpful.

Let me know. Thanks!

[REDACTED]

[REDACTED] [REDACTED]
Paralegal
Environmental Crimes Section
U.S. Department of Justice
[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/26/2007 02:07 PM

To: [REDACTED] OIG/USEPA/US@EPA, [REDACTED]
[REDACTED] (ENRD)" [REDACTED]@ENRD.USDOJ.GOV>
cc: [REDACTED] (ENRD)" [REDACTED]@ENRD.USDOJ.GOV>
bcc:

Subject RE: [REDACTED] emails

History: This message has been replied to.

Just to be oversure -- we've got the the 2002 and the 2003 e-mails, correct.

Have a great weekend everyone.

-----Original Message-----

From: [REDACTED]@epamail.epa.gov
[mailto:[REDACTED]@epamail.epa.gov]
Sent: Thursday, January 25, 2007 4:20 PM
To: [REDACTED] (ENRD)
Cc: [REDACTED] (ENRD); Ballantine, Thomas (ENRD)
Subject: Re: [REDACTED] emails

[REDACTED] - I have the 2003 e-mails too (for a total of about 60 with attachments) and have requested an IT specialist help me get these to you in the format your requested below.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED] (ENRD)"
[REDACTED] ENRD
<[REDACTED]@ENRD.USDOJ.GOV>

01/24/2007 01:26
PM

To
[REDACTED] OIG/USEPA/US@EPA
cc

"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>,
[REDACTED]

Subject

[REDACTED] emails

As to how to get the emails into our review process: your IT person can create a LotusNotes archive of just those e-mails -- that would be a .nsf file. If it's less than 9 megabytes, it can be zipped and emailed to [REDACTED]@usdoj.gov. If it's larger than that, burn it to a CD or DVD and FedEx it to me at:

[REDACTED]
[REDACTED]
601 D St NW
Washington, DC 20004

Let me know if this makes sense/is acceptable! I am traveling this week and am reachable on my cell at [REDACTED]

Thanks!

[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/24/2007 11:48 AM

To: [REDACTED] OIG/USEPA/US@EPA

cc

bcc

Subject: RE: Hi [REDACTED] have you had any luck collecting the emails
(b) (7)(E), (b) (6), (b) (7)(C)

Thanks [REDACTED] (I think I sent you a follow up request before I got to this and thanked you, but thank you just the same).

Tom B.
514 2956

-----Original Message-----

From: [REDACTED] amail.epa.gov
[mailto:[REDACTED] epamail.epa.gov]
Sent: Tuesday, January 23, 2007 3:29 PM
To: Ballantine, Thomas (ENRD)
Cc: Schmidt, Angela (USADC); Uhlmann, David (ENRD);
[REDACTED]@epamail.epa.gov
Subject: Re: Hi [REDACTED] have you had any luck collecting the emails
(b) (6), (b) (7)(C), (b) (7)(E)

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

"Ballantine,
Thomas (ENRD)"
<TBalenti@ENRD.U
SDOJ.GOV>

01/05/2007 06:01
PM

To

[REDACTED] OIG/USEPA/US@EPA,
[REDACTED] C/USEPA/US@EPA,

"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

CC

Subject

Hi [REDACTED], have you had any luck
collecting the emails between [REDACTED]

(b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED]

Can you give us an update on Monday?

Thanks,

TTB



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/24/2007 11:34 AM

To: [REDACTED]/OIG/USEPA/US@EPA, "Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>
cc: [REDACTED]ela (USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED]DC/USEPA/US@EPA, [REDACTED] (ENRD)" [REDACTED]@ENRD.USDOJ.GOV>

bcc

Subject RE: [REDACTED]

History: This message has been replied to.

[REDACTED] please coordinate with [REDACTED] [REDACTED] [REDACTED] about how to
the 2002 and 2003 emails into our review system.

Thanks,

Tom B.

-----Original Message-----

From: [REDACTED]@epamail.epa.gov
[mailto:[REDACTED]@epamail.epa.gov]
Sent: Tuesday, January 23, 2007 3:36 PM
To: Uhlmann, David (ENRD)
Cc: Schmidt, Angela (USADC); [REDACTED]@epamail.epa.gov; Ballantine, Thomas (ENRD)
Subject: RE: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

"Uhlmann, David
(ENRD)"
<DUhlmann@ENRD.U
SDOJ.GOV>

01/23/2007 11:49
AM

[REDACTED]/DC/USEPA/US@EPA,
"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

To

"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>

cc

[REDACTED]/OIG/USEPA/US@EPA
Subject

RE: [REDACTED]

Thanks, [REDACTED]

-- where are we on [REDACTED] computer search?

-----Original Message-----

From: [REDACTED] epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Tuesday, January 23, 2007 11:05 AM

To: Ballantine, Thomas (ENRD)

Cc: Schmidt, Angela (USADC); Uhlmann, David (ENRD);

[REDACTED] epamail.epa.gov

Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

I will be out of the office this afternoon thru Thurs. Please call my cell if you need to contact me. We had new phones installed in our office and as of now I cant access my voicemail.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

 [REDACTED]/DC/USEPA/US
01/23/2007 05:32 PM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>
cc [REDACTED]OIG/USEPA/US@EPA, "Ballantine,
Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>,
"Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>
bcc
Subject RE: Hi [REDACTED] have you had any luck collecting the emails
(b) (6), (b) (7)(C), (b) (7)(E)

Yes, lets ge (b) (5) lso

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

-----"Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV> wrote: -----

To [REDACTED]OIG/USEPA/US@EPA, "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
From: "Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>
Date: 01/23/2007 03:36PM
cc: "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov> [REDACTED]DC/USEPA/US@EPA
Subject: RE: Hi [REDACTED] have you had any luck collecting the emails between [REDACTED]
[REDACTED]

All,

Don't we need (b) (5) as well?

-----Original Message-----

From: [REDACTED]@epamail.epa.gov
[mailto:[REDACTED]@epamail.epa.gov]
Sent: Tuesday, January 23, 2007 3:29 PM
To: Ballantine, Thomas (ENRD)
Cc: Schmidt, Angela (USADC); Uhlmann, David (ENRD);
[REDACTED]@epamail.epa.gov
Subject: Re: Hi [REDACTED] have you had any luck collecting the emails
(b) (6), (b) (7)(C), (b) (7)(E)

(b) (5), (b) (6), (b) (7)(C)

Special Agent
Office of Investigations
Washington, DC

"Ballantine,
Thomas (ENRD)"
<TBalenti@ENRD.U
SDOJ.GOV>

01/05/2007 06:01
PM

To

[REDACTED] /OIG/USEPA/US@EPA, [REDACTED]
[REDACTED] DC/USEPA/US@EPA,
"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

cc

Subject

Hi [REDACTED] have you had any luck
collecting the emails between [REDACTED]
(b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED]

Can you give us an update on Monday?

Thanks,

TTB



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/19/2007 05:45 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]
cc [REDACTED] OIG/USEPA/US@EPA [REDACTED]
[REDACTED] ENRD)" [REDACTED]@ENRD.USDOJ.GOV>

bcc

Subject Cooperations Galore (b) (5), (b) (6), (b) (7)(C)
(b) (5), (b) (6), (b) (7)(C)

(b) (5), (b) (6), (b) (7)(C)

[REDACTED] would you please file this as an internal email, Thank you.

Enjoy the weekend everyone,

TTB



[REDACTED] DC/USEPA/US
01/11/2007 05:59 PM

To: "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
cc "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>
[REDACTED] DC/USEPA/US@EPA, [REDACTED]
bcc [REDACTED]

Subject RE: One of the items on our punch list, the WAS-E docs 

Thats my plan

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

-----"Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV> wrote: -----

To: "Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV> [REDACTED]
[REDACTED] DC/USEPA/US@EPA, [REDACTED] DC/USEPA/US@EPA, " [REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>
From: "Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>
Date: 01/11/2007 09:28AM
Subject: RE: One of the items on our punch list, the WAS-E docs

I believe that [REDACTED] is planning to come in on the 18th and 19th.

Is it true, [REDACTED]

-TTB

From: Uhlmann, David (ENRD)
Sent: Wednesday, January 10, 2007 9:58 PM
To: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela (USADC)

Subject: RE: One of the items on our punch list, the WAS-E docs

Great. When is everyone available to do this?

From: Ballantine, Thomas (ENRD)
Sent: Wednesday, January 10, 2007 3:37 PM
To: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela (USADC); Uhlmann, David (ENRD)

Subject: One of the items on our punch list, the WAS-E docs

Hello all,

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED]

(b) (5), (b) (6), (b) (7)(C)



Cheers,

TTB

From: [REDACTED] (ENRD)
Sent: Tuesday, January 09, 2007 2:44 PM
To: Balantine, Thomas (ENRD)
Subject: WAS-E documents

Tom,

(b) (5)



[REDACTED]

[REDACTED]
[REDACTED]
Paralegal
Environmental Crimes Section
U.S. Department of Justice
[REDACTED]

On November 20, 2006, SA [REDACTED] and EPA-OIG SA [REDACTED] interviewed [REDACTED] regarding [REDACTED]. After being advised of the identity of the interviewing agents and the nature of the interview, [REDACTED] provided information relating to the lead service line replacement program at WASA.

[REDACTED]

[REDACTED] advised that [REDACTED] had no role in water testing but became aware of the lead exceedance after a presentation by [REDACTED] of WASA. [REDACTED] could not recall when the presentation took place or any details of the presentation other than the presentation contained information about WASA exceeding the level of lead in the drinking water. [REDACTED] did recall that WASA had to replace a certain percentage of their lead service lines as a result.

[REDACTED] was shown documents identified by Bates Numbers MB000177 MB000178. After reviewing the documents which were email strings from November 6, 2002, [REDACTED] stated [REDACTED] did not recall the emails but does recall being tasked with identifying lead service lines that could be replaced under current DDOT contracts. [REDACTED] had worked during [REDACTED] to replace lead lines under DDOT contracts but as a result of low lead levels the replacements stopped. This was at the direction of [REDACTED].

[REDACTED] delegated most of the work to arrange for replacements through DDOT contracts to [REDACTED] was [REDACTED] who also worked on the replacement projects.

[REDACTED] stated that [REDACTED] were the WASA employees most involved with the sampling side of the replacements. In addition, [REDACTED] was also involved.

[REDACTED] recalled that sampling kits were sent out to homeowners with instructions. [REDACTED] never personally saw the instructions but spoke with [REDACTED] about them. [REDACTED] recalled that the instructions advised the homeowners to run the water for a length of time, which [REDACTED] recalls being five minutes. [REDACTED] consulted with [REDACTED] about how long the water should be run. [REDACTED] advised [REDACTED] that five minutes was too long. [REDACTED] would expect that after running the water for five minutes, the water coming out of the tap would be from the main water line, not the service line. In [REDACTED] opinion the shorter length of time the water ran the better. [REDACTED] described [REDACTED]

conversations with [REDACTED] as passing conversations in the hallway [REDACTED] tate [REDACTED] never performed any calculations to determine how long the water should be run. In addition [REDACTED] never reviewed the regulations to determine what the regulatory approved methods were.

During the time that the replacements were taking place, both physical and sampling [REDACTED] attended some scheduling meetings. The attendees that [REDACTED] recalled were [REDACTED] [REDACTED] could not recall any specific issues discussed at the meetings. He did recall that [REDACTED] had been speaking with someone from the EPA about the water sampling. Also, at one time the sampling procedure changed to a temperature change method. Although not ideal in [REDACTED] mind, any sampling instructions that shortened the amount of time the water was run, the better. [REDACTED] also made a comment that the information they were getting was not uniform [REDACTED] could not elaborate.

[REDACTED] was aware that WASA had to submit a report to the EPA relating to the replacements. [REDACTED] referred any questions relating to the physical replacements to [REDACTED] from [REDACTED] office.

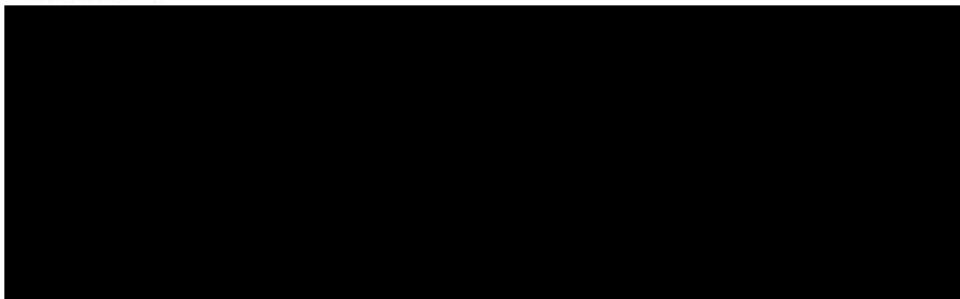
[REDACTED] was shown documents Bates Numbered MB000292-MB000294. After reviewing the documents [REDACTED] stated that [REDACTED] may have seen the attachment in the past. [REDACTED] does not know the meaning of Phase I and Phase II. [REDACTED] explained that during 2003 [REDACTED] was working on a large project which consisted of [REDACTED] [REDACTED] As a result, emails relating to the lead issue did not get his attention. The lead issue was a number one priority for [REDACTED]

Although not able to put a timeframe on the comment, [REDACTED] did make a statement t [REDACTED] in the past stating "if anything we made mistakes with the numbers " [REDACTED] could not recall any other statements relating to any problems with the report submitted to the EPA.

[REDACTED] described [REDACTED] s very honest and intelligent and [REDACTED] as very technically oriented and the main contact with the EPA [REDACTED] was described as honest and very involved with the work [REDACTED] was responsible for in order to pass information along to upper management. [REDACTED] did not know [REDACTED] ell, but would describe [REDACTED] as very detailed. [REDACTED] describe [REDACTED] s someone driven more by the cost than what would be the best way to handle a situation. [REDACTED] was described as a micro-manager, very involved, but not a suitabl [REDACTED]

[REDACTED] advised tha [REDACTED] had contacte [REDACTED] prior to [REDACTED] interview with the interviewing agents. The purpose of the call was to advis [REDACTED] o [REDACTED] successful outcome in a past WASA related wor [REDACTED] During the conversation [REDACTED] advised [REDACTED] of the upcoming interview. [REDACTED] stated that [REDACTED] had been advised not to talk to anyone about it."

Identifiers





"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/09/2007 06:08 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]
[REDACTED] SEPA/US@EPA [REDACTED]
cc [REDACTED] USEPA/US@EPA

bcc

Subject: A North Carolina WASA?

Hi All:

[REDACTED] noticed this over the holiday, and let us know about it. Here's an article about bad lead-test results in Durham.

-TTB



<<Durhampdf.pdf>> Durham.pdf

Published: Dec 22, 2006 12:30 AM
Modified: Dec 22, 2006 05:27 AM

Durham withheld bad lead-test results

The city acknowledges failing to let state regulators know about at least 20 samples from seven homes. It also did not alert some homeowners about tainted tap water

MICHAEL BIESECKER, Staff Writer

DURHAM - The city of Durham submitted test results in October indicating its drinking water met federal standards. But the city withheld samples in which lead was detected in dangerous amounts.

Following a News & Observer investigation, Durham officials acknowledged this week that they failed to disclose at least 20 test results from seven homes to state regulators, a violation of federal rules. Five homes had high levels of lead.

The city didn't notify residents of some affected homes that their tap water was tainted, a violation that endangered the health of those families. Ingesting even tiny amounts of lead can be toxic for pregnant women and children under 6, causing brain damage and developmental difficulties.

"We overlooked some things," said Vicki Westbrook, the city water department's manager for regulatory compliance. "We made mistakes. But it wasn't like we were trying to hide anything. We didn't do this on purpose."

Knowingly submitting false test results is a felony under the federal Safe Drinking Water Act, punishable by fines and prison time. Durham's director of water management, Terry Rolan, said his department's failure to disclose the data properly resulted from ignorance of the rules.

"Nobody in our department would knowingly do that," said Rolan, national president of the American Waterworks Association, an advocacy and lobbying group for water systems. He said the city conducted a "special internal investigative study" of selected homes in areas thought to be at highest risk, not knowing the results could be held against it.

"We might have shot ourselves in the foot by trying to do the right thing," Rolan said.

Since The N&O started raising questions about Durham's lead tests in November, the city sent hundreds more sampling results to the state Division of Environmental Health. The city expects to deliver another batch of previously undisclosed results from the additional study to state regulators today.

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Taking measures against lead exposure

RECOMMENDED PRECAUTIONS

State and local officials recommend that all Durham residents take the following precautions if they live in a home built before 1986 to greatly reduce the risk of lead contamination in their tap water:

- * Use only water from the cold water tap for cooking and drinking; hot water can dissolve lead more quickly than cold water. Boiling your water will not reduce the amount of lead in your water.
- * Run water through your tap before consuming: After water has been sitting in the pipes for more than six hours, run your cold water for two to four minutes before using it to drink or prepare food. During the day, run the water for a minute before consuming.

- * Remove and clean faucet strainers/aerators every two to three weeks.

HOW TO TEST YOUR WATER

Testing through your local municipality is free if you have a valid concern about water quality. The Durham lab has a backlog of three weeks or more between making the call and getting results.

City of Durham: 560 1200

- * If you prefer to use a local commercial laboratory, lead testing should range from \$15 to \$30 if you take the sample yourself. If a technician comes to your home, expect an additional fee.

- * Try the certified nonprofit Clean Water Lead Testing Inc. After you receive the kit in the mail, collect two samples from your tap and mail the samples back. You will receive a detailed lab report in four to six weeks. Order tests by visiting www.leadtesting.org. Tests are \$24 to \$30.

Terry Pierce, director of the Division of Environmental Health, said Wednesday that Durham likely will be required to recalculate its score on the compliance test.

That could cause the city to fail safe drinking water standards, triggering tighter regulatory supervision and potentially scuttling a multimillion dollar deal to supply drinking water to the neighboring town of Hillsborough.

Chris Thomas, the U.S. Environmental Protection Agency's section chief in charge of drinking water for an eight-state region that includes North Carolina, said he was "troubled" by Durham's failure to disclose so many results from homes it was required to test.

"That's a red flag," Thomas said.

Testing required

Durham, like all sizable public water suppliers, is required by federal law to test water from carefully selected residences for lead. The results the city has reported since 1991 have always complied with federal standards, so Durham is allowed to test every three years.

The compliance system is based on self-monitoring and trust. Most water systems send samples to the state lab in Raleigh or to a private facility for testing. But Durham, like nine other North Carolina cities, has its own state-certified lab. Raleigh and Cary also maintain labs.

Durham was asked to perform tests a year early after blood from a child from the Penrith Townhomes was found in March to contain high amounts of lead.

The Durham County Health Department tested water from the kitchen faucet of the child's apartment and found it contained lead at 837 parts per billion — nearly 60 times the federal limit considered safe. It was the second case of lead poisoning linked to a North Carolina public water system.

The homes at highest risk for lead contamination are those built before December 1985, when a statewide ban took effect on all but tiny traces of lead in pipe solder. According to U.S. Census Bureau records, about 65,000 houses and apartments in Durham were built before the ban.

Cities of Durham's size must test a minimum of 50 homes. As long as no more than 10 percent of the samples contain lead above the federal limit of 15 parts per billion, a water provider is in compliance with the Safe Drinking Water Act.

In past years, Durham has sampled far more than the minimum number of sites. Once a home is included in the city's approved compliance sampling pool, however, the rules say the city must try to test it each time. Homes can be excluded only for reasons the city must disclose, such as when a house is vacant or a homeowner refuses to provide a sample.

WHO CAN TEST YOUR WATER

Raleigh: Tritest: 834-4984

Cary: Chemical & Environmental Technology: 467-3090

For a complete listing of municipal and commercial laboratories, visit:

<http://slph.state.nc.us/EnvironmentalSciences/Certification/CertifiedLaboratory.asp>.

HOW TO GET TESTED FOR LEAD EXPOSURE

Call your physician for information on testing or call Robert Brown at Durham County Environmental Health at 560-7801.

Related Content

• Durham's lead problem

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- Why test in the homes

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In 2004, the last time Durham sampled before this year, the city submitted results from 95 homes. Only four tested over the federal lead limit of 15 parts per billion.

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An additional 16 sites were listed as homes that couldn't be sampled because they were vacant or the owner was away.

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Despite increased scrutiny following the lead poisoning case, this year the city reported collecting samples from just 69 houses on its required list. Once again, four homes were reported over the limit – well within the allowable 10 percent margin. But the number of homes from which the city said it couldn't get samples rose to 44.

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Clarion Drive case

Among those sites was a three-bedroom ranch house at 716 Clarion Drive.

State records show samples have been collected there every year the city previously performed such tests – 1991, 1992, 1993, 1994, 1995, 1998, 2001 and 2004.

In 2004, records show a water sample from the Clarion Drive house had lead at 61 parts per billion – more than four times the federal limit and the highest reading of any home reported that year in Durham.

Homeowner Donald Morgan questioned Durham's 2006 submission to state regulators, which indicated he refused to provide the city a water sample.

"We turned in our sample, and then they called us back and said there was a problem with it and that the lab needed another sample," said Morgan, whose family has lived in the house since it was built in 1985. "We gave it to them, and then we never heard back."

The N&O asked the city for records of all residential lead tests since Jan. 1. Durham disclosed the results from hundreds of homes, but there was no record of samples from Morgan's house.

"I know I gave them two separate samples," Morgan said when told of the city's report. "I guess those bottles must have just disappeared off the face of the Earth."

The N&O hired Environmental Conservation Laboratories, a state-certified private lab in Cary, to test Morgan's tap water. According to the lab, a sample collected Nov. 6 from Morgan's home contained lead at 28 parts per billion – nearly twice the federal limit.

Homeowners at eight other sites required to be tested also disputed the records Durham gave the state. City officials eventually disclosed that they took samples that were not reported, a violation of state and federal regulations.

The city said this week that it collected three samples from Morgan's home.

A sample collected July 1 contained lead at 167 parts per billion – more than 11 times the safety limit.

A July 19 sample also tested well over the limit at 87 parts per billion.

The third sample, collected Aug. 25, tested below the safety limit at 4 parts per billion.

The law requires that Durham inform state regulators of any residential result over the lead limit and tell homeowners.

After the newspaper contacted Morgan in late October, he called the city to ask what happened to his samples. He said a technician told him his water was fine.

Last week, after the newspaper asked Durham officials about the missing samples, the city sent Morgan a letter disclosing that his home tested high for lead nearly six months earlier.

Rolan, the Durham water director, said this week that the city took samples at Morgan's home and six others on the compliance list in July and August.

The tests were part of a special study of sites where lead concentrations increased between the 2001 and 2004 samples. The city hoped to discover whether changes to the recipe of chemicals the city used to treat its water were decreasing lead leaching from plumbing.

These results were not disclosed to the state, Rolan said, because he and others in the city water department were unaware the law required them to. In addition, Rolan said they thought only samples collected in September, when Durham has traditionally conducted its testing, had to be included in the scoring.

The federal rules state that all samples collected between June 1 and Sept. 30 should be included, said Pierce, the state official.

More in Penrith

Concern about high lead readings near where the child was poisoned in March prompted state regulators to require Durham to add 10 homes in the "Penrith Area" to its sampling pool.

Durham told the state it randomly selected the new sites by cutting a list of 59 homes into strips of paper and then having an office secretary draw 10 out of a hat. The city did not disclose that earlier in the summer it had already tested all 59. Some of the 10 homes selected were also far from the apartment complex -- in one case more than seven miles distant.

"It is absolutely not the intent of the rules to prescreen compliance sites," Pierce said.

Three of the 10 selected homes tested over the federal limit in summer -- test results the city did not disclose to the state until this month.

One was a house at 5602 Lake Elton Road. Water collected in July contained lead at 161 parts per billion -- more than 10 times the limit.

Homeowner Kim Mann said she was unaware of the result. City officials said last week they couldn't contact Mann because they could not find her phone number. They did not say why they didn't send her a letter or visit her home.

City officials said Mann failed to return samples for the September tests. She said that wasn't true.

"I was never contacted about being tested in September," Mann said. "I open all my mail -- even the credit card solicitations."

All told, the city failed to submit results for seven of the 10 "Penrith Area" sites, including two that tested high for lead. A third house that tested high in July was found below the limit in September. The city reported only the favorable result to the state. It did not report Mann's high test.

Long-standing rules

Pierce, the state environmental health director, said the regulations Durham violated have been in place since federal legislation requiring lead testing was drafted 16 years ago.

In November 2004, after several large water systems nationwide were caught withholding bad results, the EPA issued a memorandum directing that all lead testing be disclosed to state authorities. The memo available on the EPA's Internet site also clarified how results should be scored for Safe Drinking Water Act compliance.

Westbrook, Durham's compliance manager, said the state sent a directive in March laying out many of the updated reporting standards, but she missed key requirements. As for the failure to notify residents of homes with tainted water, Westbrook said that so many homes tested high during the summer that some "fell through the cracks."

She could not say precisely how many families in the nearly 60 homes over the lead limit since June have not been notified.


Pierce said the city will likely be cited with regulatory reporting violations, which carry no penalty. More serious civil violations will be considered once the state's review of Durham's newly submitted results is complete, he said.

"We make an effort to educate water systems and remind them of these rules, but they still have an obligation to know what the rules are, with or without our prompting them," Pierce said. "Whether it is Durham or any other water system in the state, they should know what the rules are. Period."

(News researchers Brooke Cain, David Raynor and Paulette Stiles contributed to this report.)

Staff writer Michael Biesecker can be reached at 956-2421 or mbieseck@newsobserver.com.

News researchers Brooke Cain, David Raynor and Paulette Stiles contributed to this report.

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"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/09/2007 10:19 AM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

bcc

Subject Re: The absent formal letter from [REDACTED] after the
Oh Blessed Day email

All: [REDACTED] found the following (thanks [REDACTED]):

(b) (5), (b) (6), (b) (7)(C)

-----Original Message-----

From: Ballantine, Thomas (ENRD)
Sent: Monday, January 08, 2007 6:23 PM
To: [REDACTED] (ENRD)
Cc: Ballantine, Thomas (ENRD)
Subject: FW: Reg. 3 Requests

[REDACTED] can you shed any light on this for [REDACTED] I'm not sure what [REDACTED] talking about.

-----Original Message-----

From: Schmidt, Angela (USADC) [mailto:Angela.Schmidt@usdoj.gov]
Sent: Monday, January 08, 2007 11:54 AM
To: [REDACTED]@epamail.epa.gov; Ballantine, Thomas (ENRD)
Cc: Uhlmann, David (ENRD); [REDACTED]@epa.gov
Subject: RE: Reg. 3 Requests

Good question. I don't remember seeing such a letter.

-----Original Message-----

From: [REDACTED]@epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]
Sent: Monday, January 08, 2007 11:52 AM
To: Ballantine, Thomas (ENRD)
Cc: Schmidt, Angela (USADC); Uhlmann, David (ENRD);
[REDACTED]@epa.gov
Subject: Reg. 3 Requests

[REDACTED] has asked if we have seen a copy of the EPA letter to [REDACTED] re: the review of the 2003 Report. [REDACTED] has only found a draft that never went out. My reference to this document was the email from [REDACTED] in which [REDACTED] references a letter is going to be sent. Please let me know if anyone has actually seen that letter.

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division





"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
>

01/08/2007 11:54 AM

To [REDACTED]/DC/USEPA/US@EPA, "Ballantine, Thomas
(ENRD)" <Thomas.Ballantine@usdoj.gov>
cc "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,
[REDACTED]@DC/USEPA/US@EPA
bcc

Subject RE: Reg. 3 Requests

Good question. I don't remember seeing such a letter.

-----Original Message-----

From: [REDACTED]@epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Monday, January 08, 2007 11:52 AM

To: Ballantine, Thomas (ENRD)

[REDACTED] (C); Uhlmann, David (ENRD);

Subject: Reg. 3 Requests

[REDACTED] has asked if we have seen a copy of the EPA letter to [REDACTED]
re: the review of the 2003 Report. She has only found a draft that
never went out. My reference to this document was the email from
[REDACTED] in which [REDACTED] references a letter is going to be
sent. Please let me know if anyone has actually seen that letter.

Thanks

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

01/05/2007 06:01 PM

To: [REDACTED] OIG/USEPA/US@EP [REDACTED]
[REDACTED] DC/USEPA/US@EPA, "Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>, "Uhlmann, David (ENRD)"


cc

bcc

Subject: Hi [REDACTED] have you had any luck collecting the emails [REDACTED]

(b) (6), (b) (7)(C), (b) (7)(E)

History:

 This message has been replied to.

[REDACTED]

Can you give us an update on Monday?

Thanks,

TTB



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
OV>

01/05/2007 05:09 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]
[REDACTED] IG/USEPA/US@EPA [REDACTED]

cc

bcc

Subject FW: WASA file server search

Hi All,

(b) (5), (b) (6), (b) (7)(C)

Have a great weekend.

-TTB

From: [REDACTED] (ENRD)

Sent: Friday, January 05, 2007 3:48 PM

To: Ballantine, Thomas (ENRD)

Subject: WASA file server search

Tom,

(b) (5)

Let me know what else I can do to help with this.

██████████
Paralegal
Environmental Crimes Section
U.S. Department of Justice



asa directory tree review results.xls



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

01/05/2007 11:22 AM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>,
[REDACTED] IG/USEPA/US@EPA, [REDACTED]

C

bcc

Subject Re: Meeting with [REDACTED]
please file as an internal e-mail]

(b) (5), (b) (6), (b) (7)(C)

David

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: Ballantine, Thomas (ENRD)

To: Ballantine, Thomas (ENRD); [REDACTED]@epa.gov> [REDACTED]@epamail.epa.gov

<[REDACTED]@epamail.epa.gov>; [REDACTED] (ENRD); Schmidt, Angela (USADC); Uhlmann, David

(ENRD) [REDACTED] (ENRD)

Sent: Fri Jan 05 11:02:37 2007

Subject: Meeting with [REDACTED] please file as an internal e-mail]

Good morning

(b) (5), (b) (6), (b) (7)(C)

(b) (5), (b) (6), (b) (7)(C)



I open the floor for questions.

Cheers,

Tom B.



"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
>
01/04/2007 02:36 PM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,
"Ballantine, Thomas (ENRD)"
<Thomas.Ballantine@usdoj.gov>, William
cc
bcc

Subject RE: Casemap is very time instensive . . . so [REDACTED] and I have reached the following conclusions about how she should work.

[REDACTED] - Would you also include [REDACTED] on your witness folder list? Thanks, Angie

From: Uhlmann, David (ENRD)
Sent: Thursday, January 04, 2007 2:33 PM
To: Ballantine, Thomas (ENRD); [REDACTED]; [REDACTED]
(ENRD); Schmidt, Angela (USADC)
Subject: RE: Casemap is very time instensive . . . so [REDACTED] and I have reached the following conclusions about how she should work.

A good plan!

From: Ballantine, Thomas (ENRD)
Sent: Thursday, January 04, 2007 12:19 PM
To: Ballantine, Thomas (ENRD); [REDACTED]@pamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela (USADC); Uhlmann, David (ENRD)
Subject: Casemap is very time instensive . . . so [REDACTED] and I have reached the following conclusions about how she should work.

[REDACTED] is working steadfastly toward getting our stuff into Casemap, which will be a boon. To make it work efficiently, she and I have concluded that:

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Does anyone have any thoughts, ideas, or questions about this?

Cheers,

TTB



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.
GOV>

12/22/2006 03:45 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

cc [REDACTED] OIG/USEPA/US@EPA [REDACTED]

bcc

Subject RE: I was about to call [REDACTED]

(b) (5)

From: Ballantine, Thomas (ENRD)

Sent: Friday, December 22, 2006 3:19 PM

To: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela (USADC); Uhlmann, David (ENRD)

Subject: I was about to call [REDACTED]

Hi All,

(b) (5), (b) (6), (b) (7)(C)

Cheers,

Tom B.



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

12/22/2006 03:19 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]
[REDACTED] OIG/USEPA/US@EPA [REDACTED]

cc

bcc

Subject I was about to call [REDACTED]

Hi All,

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Cheers,

Tom B.



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

12/22/2006 11:53 AM

To "Uhlmann, David (ENRD)"

<DUhlmann@ENRD.USDOJ.GOV>

cc [REDACTED] /OIG/USEPA/US@EPA, [REDACTED] ENRD.USDOJ.GOV>

bcc

Subject RE: [REDACTED] would like to meet with us to give us the dog and pony during the week of January 15th, not on the 17th or 18th.

For the time being, I've left a message asking the [REDACTED] atty's to pencil in some time during the afternoon for the 16th, but I've told them we still have a couple of folks to get on board.

Cheers,
TTB

From: Uhlmann, David (ENRD)

Sent: Friday, December 22, 2006 11:39 AM

To: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela (USADC)

Cc: [REDACTED] (ENRD)

Subject: RE: [REDACTED] would like to meet with us to give us the dog and pony during the week of January 15th, not on the 17th or 18th.

All,

The 15th is a holiday, so how does the afternoon of the 16th look for everyone?

David

From: Ballantine, Thomas (ENRD)

Sent: Thursday, December 21, 2006 5:01 PM

To: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela (USADC); Uhlmann, David (ENRD)

Subject: [REDACTED] would like to meet with us to give us the dog and pony during the week of January 15th, not on the 17th or 18th.

[REDACTED] DC/USEPA/US
12/22/2006 11:47 AM

To "Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, [REDACTED] NRD)"
bcc [REDACTED]
Subject RE: [REDACTED] would like to meet with us to give us the
dog and pony during the week of January 15th, not on the
17th or 18th. 📎

Good for me.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.
GOV>
12/22/2006 11:39 AM

"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
To [REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, "Schmidt, Angela
(USADC)" <Angela.Schmidt@usdoj.gov>
cc [REDACTED]@ENRD.USDOJ.GOV>
Subject RE: [REDACTED] would like to meet with us to give us the
dog [REDACTED] g the week of January 15th, not on the
17th or 18th.

All,

The 15th is a holiday, so how does the afternoon of the 16th look for everyone?

David

From: Ballantine, Thomas (ENRD)
Sent: Thursday, December 21, 2006 5:01 PM
To: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov; [REDACTED] (ENRD); Schmidt, Angela
(USADC); Uhlmann, David (ENRD)
Subject: [REDACTED] would like to meet with us to give us the dog and pony during the week of January 15th, not on the
17th or 18th.



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

12/22/2006 11:39 AM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV> [REDACTED]
cc [REDACTED] /USEPA/US@EPA [REDACTED]
(ENRD)" [REDACTED]@ENRD.USDOJ.GOV>
bcc

Subject RE [REDACTED] would like to meet with us to give us the
dog and pony during the week of January 15th, not on the
17th or 18th.

History: This message has been replied to.

All,

The 15th is a holiday, so how does the afternoon of the 16th look for everyone?

David

From: Ballantine, Thomas (ENRD)

Sent: Thursday, December 21, 2006 5:01 PM

To: Ballantine, Thomas (ENRD); [REDACTED] (ENRD); Schmidt, Angela
(USADC); Uhlmann, David (ENRD)

Subject: [REDACTED] would like to meet with us to give us the dog and pony during the week of January 15th, not on the
17th or 18th

[REDACTED]DC/USEPA/US
12/22/2006 08:26 AM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, "Uhlmann, David"
bcc
Subject Re: [REDACTED] would like to meet with us to give us the
dog and pony during the week of January 15th, not on the
17th or 18th. [REDACTED]

I'm available.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]


"Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.G
OV>
12/21/2006 05:01 PM

"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>,
[REDACTED]G/USEPA/US@EPA,
[REDACTED]SEPA/US@EPA, [REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, "Schmidt, Angela
(USADC)" <Angela.Schmidt@usdoj.gov>, "Uhlmann, David
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV>
cc
[REDACTED] would like to meet with us to give us the dog
Subject and pony during the week of January 15th, not on the 17th or
18th.

[REDACTED] DC/USEPA/US
12/21/2006 02:56 PM


To [REDACTED] OIG/USEPA/US@EPA
cc
bcc
Subject Re: Availability Next Week 

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] IG/USEPA/US
12/21/2006 02:39 PM


To [REDACTED] DC/USEPA/US@EPA
cc
Subject Re: Availability Next Week 

Our address in Crystal City is -

Two Potomac Yards
2733 South Crystal Drive
[REDACTED]
Arlington, VA 22202

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED] DC/USEPA/US
12/21/2006 02:27 PM

To [REDACTED] IG/USEPA/US@EPA
cc
Subject Re: Availability Next Week 

Ok- Ill give [REDACTED] a call. What is your office address/suite or room number in case [REDACTED] can meet in crystal city

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US
12/21/2006 02:21 PM

To [REDACTED] DC/USEPA/US@EPA
cc
Subject Re: Availability Next Week [REDACTED]

Hey [REDACTED]

I'll be here next week and available for anything I can help with. I hope your Florida trip went well.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED] DC/USEPA/US
12/21/2006 02:19 PM

To [REDACTED] OIG/USEPA/US@EPA
cc
Subject Availability Next Week

(b) (5), (b) (6), (b) (7)(C)
[REDACTED]

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US
12/21/2006 02:39 PM

To [REDACTED] C/USEPA/US@EPA
cc
bcc
Subject Re: Availability Next Week

Our address in Crystal City is -

Two Potomac Yards
2733 South Crystal Drive
[REDACTED]
Arlington, VA 22202

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

[REDACTED] DC/USEPA/US
12/21/2006 02:27 PM

To [REDACTED] OIG/USEPA/US@EPA
cc
Subject Re: Availability Next Week

Ok- Ill give [REDACTED] a call. What is your office address/suite or room number in case [REDACTED] can meet in crystal city

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US
12/21/2006 02:21 PM

To [REDACTED] DC/USEPA/US@EPA
cc
Subject Re: Availability Next Week

Hey [REDACTED]

I'll be here next week and available for anything I can help with. I hope your Florida trip went well.

[REDACTED]
Special Agent
Office of Investigations

[REDACTED] DC/USEPA/US

12/21/2006 02:19 PM

To [REDACTED] OIG/USEPA/US@EPA
cc

Subject Availability Next Week

[REDACTED]
(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED] /DC/USEPA/US

12/21/2006 02:27 PM

To [REDACTED] OIG/USEPA/US@EPA

cc

bcc

Subject Re: Availability Next Week

History:

This message has been replied to.

Ok- Ill give [REDACTED] a call. What is your office address/suite or room number in case [REDACTED] can meet in crystal city

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US

12/21/2006 02:21 PM

To [REDACTED] DC/USEPA/US@EPA

cc

Subject Re: Availability Next Week

He [REDACTED]

I'll be here next week and available for anything I can help with. I hope your Florida trip went well.

[REDACTED]
Special Agent
Office of Investigations
Washington DC
[REDACTED]

[REDACTED] /DC/USEPA/US

12/21/2006 02:19 PM

To [REDACTED] OIG/USEPA/US@EPA

cc

Subject Availability Next Week

[REDACTED]
(b) (5), (b) (6), (b) (7)(C)
[REDACTED]

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US
12/21/2006 02:21 PM

To [REDACTED] DC/USEPA/US@EPA
cc
bcc
Subject Re: Availability Next Week

He [REDACTED]

I'll be here next week and available for anything I can help with. I hope your Florida trip went well.

[REDACTED]
Special Agent
Office of Investigations
Washington DC
[REDACTED]

[REDACTED] DC/USEPA/US
12/21/2006 02:19 PM

To [REDACTED] OIG/USEPA/US@EPA
cc
Subject Availability Next Week

[REDACTED]
(b) (5), (b) (6), (b) (7)(C)
[REDACTED]

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED]DC/USEPA/US
12/21/2006 02:19 PM

To [REDACTED]OIG/USEPA/US@EPA
cc
bcc

Subject Availability Next Week

History:  This message has been replied to.

[REDACTED]
(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] DC/USEPA/US
12/18/2006 04:54 PM

To: "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
cc: "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV> [REDACTED]
[REDACTED] OIG/USEPA/US@EPA, [REDACTED]
bcc: [REDACTED]
Subject: Re: I spoke with [REDACTED]

I'll be there Wed. I talked to [REDACTED] about just having one agent there to avoid the large numbers

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

-----"Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV> wrote: -----

To: "Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>, [REDACTED]
[REDACTED] OIG/USEPA/US@EPA, [REDACTED] DC/USEPA/US@EPA, " [REDACTED] (ENRD)"
[REDACTED] @ENRD.USDOJ.GOV>, "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>
From: "Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>
Date: 12/18/2006 12:54PM
Subject: I spoke with [REDACTED]

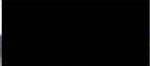
Good morning WASA team,

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Cheers to all,

TTB



OIG/USEPA/US

12/15/2006 01:35 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>, "Uhlmann, David
bcc [REDACTED]
Subject: Re: [REDACTED] please give me a call to discuss the search of
[REDACTED] email [REDACTED]

Tom,

Per our conversation this afternoon, I will coordinate and get a request in for the e-mail information we discussed (below and in your subsequent e-mail). I will let you know about the expected turn around time (and if we need to make it a priority for our computer forensic people). I will also coordinate any information formatting issues with [REDACTED]. Thank you.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]

"Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

12/15/2006 10:27 AM

To [REDACTED] OIG/USEPA/US@EPA
cc [REDACTED] DC/USEPA/US@EPA, "Uhlmann, David
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV>, "Schmidt,
Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>
Subject: [REDACTED] please give me a call to discuss the search of [REDACTED]
[REDACTED] email [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

Please give me a call at 202 514 2956 to discuss the details.

Thanks,

Tom B.



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

12/15/2006 10:40 AM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

cc

bcc

Subject [REDACTED] we should probably also include any emails between [REDACTED]
[REDACTED] and [REDACTED] [end of msg]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

12/15/2006 10:27 AM

To [REDACTED] IG/USEPA/US@EPA

cc [REDACTED] DC/USEPA/US@EPA, "Uhlmann, David (ENRD)" <DUhlmann@ENRD.USDOJ.GOV>, "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,

bcc

Subject [REDACTED] please give me a call to discuss the search of [REDACTED] email

History:

✉ This message has been replied to.

Hi [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

Please give me a call at 202 514 2956 to discuss the details.

Thanks,

Tom B.

[REDACTED] DC/USEPA/US

12/05/2006 04:05 PM

To [REDACTED] OIG/USEPA/US@EPA

cc

bcc

Subject Re: Desk Phone Is Out 

History:

 This message has been replied to.

Thanks [REDACTED]

[REDACTED] now wants to get an attorney, so it is unlikely we'll talk to [REDACTED] his week.

I'll keep you posted

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



[REDACTED] OIG/USEPA/US

12/05/2006 04:01 PM

To [REDACTED] C/USEPA/US@EPA

cc

Subject Re: Desk Phone Is Out 

Hey [REDACTED]

I was out of the office (and country last week) and got back over the weekend. I am in class for our new case file data input system (TIGER) which you might be using too. Friday is good. Please confirm the time when you get a chance (by e-mail if possible). I will be in this class, at EPA East, till Friday morning. Thanks.

[REDACTED]
Special Agent
Office of Investigations
Washington, DC
[REDACTED]


[REDACTED] DC/USEPA/US

12/05/2006 03:52 PM

To "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>

cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"

[REDACTED] ENRD.USDOJ.GOV>, "Uhlmann
(ENRD)" <DUhlmann@ENRD.USDOJ.GOV>

[REDACTED] OIG/USEPA/US@EPA
Subject Desk Phone Is Out 

Please call my cell [REDACTED] if you need to contact me. I should have email access the rest of today and tomorrow.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

12/05/2006 10:35 AM

To [REDACTED] DC/USEPA/US@EPA, "Ballantine, Thomas
(ENRD)" <TBaienti@ENRD.USDOJ.GOV>
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] (ENRD)"
[REDACTED] ENRD.USDOJ.GOV>, [REDACTED]

bcc

Subject RE: My telco with [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

--- Original Message---

From: [REDACTED]@epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Friday, December 01, 2006 9:01 AM

To: Ballantine, Thomas (ENRD)

Cc: Uhlmann, David (ENRD); Schmidt, Angela (USADC); [REDACTED]
(ENRD); [REDACTED]@epamail.epa.gov

Subject: Re: My telco with [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

Also, I kept getting my emails to Tom and [REDACTED] kicked back yesterday, so I will try again. Below is my response to the documents and CaseMap issue.

I will be glad to take any boxes off [REDACTED]'s/ECS's hands and store them in Herndon. Depending on the scope of what needs to go, transporting them will be the only issue.

I have not used CaseMap myself, but I do have a copy on my computer. I can enter information into CaseMap. I don't know if I can enter information on my computer or if I will have to do it at ECS. Either way I'll do it.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Ballantine,
Thomas (ENRD)"
<TBalenti@ENRD.U
SDOJ.GOV>

11/30/2006 05:47
PM

To
"Uhlmann, David (ENRD)"
<David.Uhlmann@usdoj.gov>,
"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
[REDACTED]/DC/USEPA/US@EPA

CC

"[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>

Subject

My telco with [REDACTED]

Hi all,

I spoke with [REDACTED] and [REDACTED]

(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



Warm regards,

Tom B.



"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
>
11/29/2006 04:52 PM

To "Ballantine, Thomas (ENRD)"
<Thomas.Ballantine@usdoj.gov> [REDACTED]
cc [REDACTED] DC/USEPA/US@EPA, "Uhlmann, David (ENRD)"
[REDACTED] OIG/USEPA/US@EPA
bcc
Subject RE: Email from [REDACTED] (FYI)

(b) (5)

-----Original Message-----

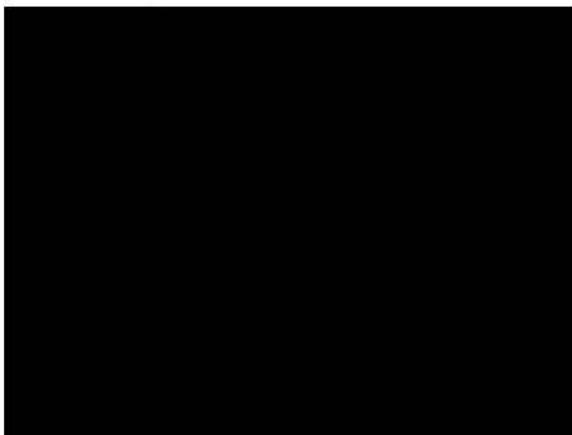
From: Ballantine, Thomas (ENRD)
Sent: Wednesday, November 29, 2006 4:28 PM
To: [REDACTED]@epamail.epa.gov; Uhlmann, David (ENRD)
Cc: [REDACTED]@epamail.epa.gov; Schmidt, Angela (USADC)
Subject: RE: Email from [REDACTED] (FYI)

Not sure how to say this, other than, "huh"

--- Original Message ---

From [REDACTED]@epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]
Sent: Wednesday, November 29, 2006 3:53 PM
To: Uhlmann, David (ENRD)
Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);
[REDACTED]@epamail.epa.gov
Subject: Email from [REDACTED] (FYI)

I did not give you another reason why I felt the use of water temperature was not a good idea for determining when to sample the water. When the water is off in a house for a long period of time, say 8 hours, the water in a hot water heater expands and flows back to the water main in the street. The current plumbing code requires thermal expansion tanks on hot water heaters if a backflow preventer is installed on a water service. These tanks are necessary to prevent the water from increasing the pressure in the internal plumbing of a house. My point is the change in water temperature could only occur if it was water from the public water main but only if the sample was taken after a long waiting period. The length of pipe within a house and out in the street will have an effect on how far the hot water heats the water in the cold water supply line.



[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Uhlmann, David (ENRD)"
<DUhlmann@ENRD.USDOJ.GOV>

12/05/2006 10:50 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>,
cc "[REDACTED] (ENRD)"
[REDACTED]@ENRD.USDOJ.GOV>

bcc

Subject RE: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

-----Original Message-----

From: Schmidt, Angela (USADC)

Sent: Wednesday, November 29, 2006 11:50 AM

[REDACTED] e, Thomas (ENRD); Uhlmann, David (ENRD);

[REDACTED]@epamail.epa.gov; [REDACTED]@epamail.epa.gov

Cc: [REDACTED] (ENRD)

Subject: RE: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

-----Original Message-----

From: Uhlmann, David (ENRD)

Sent: Wednesday, November 29, 2006 11:38 AM

To: Ballantine, Thomas (ENRD) [REDACTED]@epamail.epa.gov;

[REDACTED]@epamail.epa.gov; Schmidt, Angela (USADC)

Cc: [REDACTED] (ENRD)

Subject: FW: [REDACTED]

All,

(b) (5)

David

-----Original Message-----

From: [REDACTED]

Sent: Tuesday, November 28, 2006 1:12 PM

To: Uhlmann, David (ENRD)

Subject: [REDACTED]

Dear Mr. Uhlmann:

This responds to your November 17, 2006 letter. [REDACTED] declines your invitation to meet with you regarding the lead service replacement program implemented by WASA. [REDACTED] will continue to assert [REDACTED] and Fifth Amendment privileges. Please be advised that, should you seek to compel [REDACTED] testimony before the grand jury, [REDACTED] will not be available until after December 15, 2006. If you would like further information regarding [REDACTED] availability, I will discuss this with you by telephone.

Best regards,

[REDACTED]

[REDACTED]

[REDACTED]

This e-mail is confidential and may well be legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents

to any other person. To do so could violate state and Federal privacy laws.

Thank you for your cooperation. Please contact [REDACTED] at

[REDACTED]
if you need assistance.



"Uhlmann, David (ENRD)"
<David.Uhlmann@usdoj.gov>

11/29/2006 11:45 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,
[REDACTED] DC/USEPA/US@EPA

cc "Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]

[REDACTED] OIG/USEPA/US@EPA
bcc

Subject, RE: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

-- Original Message-- --

From: Schmidt, Angela (USADC)
Sent: Wednesday, November 29, 2006 11:40 AM
To: Uhlmann, David (ENRD); [REDACTED]@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov
Subject: RE: [REDACTED]

We can do it, if that gives [REDACTED] enough time to serve the subpoena.
I signed up for the time in [REDACTED] jury and will type up a subpoena.

-----Original Message-- -

From: Uhlmann, David (ENRD)
Sent: Wednesday, November 29, 2006 11:25 AM
To: [REDACTED]@epamail.epa.gov; [REDACTED] la (USADC)
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov
Subject: RE: [REDACTED]

I cannot do 12/6, but if Angie or Tom can cover, I say let's go for it

-- Original Message-----

From: Schmidt, Angela (USADC)
Sent: Wednesday, November 29, 2006 11:16 AM
To: Uhlmann, David (ENRD); Horvath.Greg@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov
Subject: RE: [REDACTED]

12/6 from 3:15 to 4:30 is available; the other day that they're already
scheduled to come in is full.

-----Original Message--- -

From: Uhlmann, David (ENRD)
Sent: Tuesday, November 28, 2006 7:54 PM
To: [REDACTED]@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov;
Schmidt, Angela (USADC)
Subject: Re: [REDACTED]

What is next available GJ date?

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

--- Original Message -----

From: [REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>
To: Uhlmann, David (ENRD)
Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);
[REDACTED]@epamail.epa.gov>
Sent: Tue Nov 28 14:16:41 2006
Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)



[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

[REDACTED] DC/USEPA/US
11/29/2006 01:06 PM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>
cc "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,
"Ballantine, Thomas (ENRD)"
<Thomas.Ballantine@usdoj.gov>, [REDACTED]
bcc
Subject RE: [REDACTED]

If 12/6 at 3:15 is definite I will call [REDACTED] and can serve [REDACTED] as early as tomorrow. I had planned on being in Roanoke next week but will reschedule unless [REDACTED] can be available for the 6th.

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]

"Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>



"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
>
11/29/2006 11:16 AM

To [REDACTED] DC/USEPA/US@EPA
"Ballantine, Thomas (ENRD)"
cc <Thomas.Ballantine@usdoj.gov> [REDACTED]
[REDACTED] OIG/USEPA/US@EPA
Subject RE: [REDACTED]

12/6 from 3:15 to 4:30 is available; the other day that they're already scheduled to come in is full.

-----Original Message-----

From: Uhlmann, David (ENRD)

Sent: Tuesday, November 28, 2006 7:54 PM

To: [REDACTED]@epamail.epa.gov

Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov;

Schmidt, Angela (USADC)

Subject: Re: [REDACTED]

What is next available GJ date?

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

[REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>

Sent: Tue Nov 28 14:16:41 2006

Subject:

(b) (5), (b) (6), (b) (7)(C)



[REDACTED]
Special Agent

U.S. Environmental Protection Agency

Criminal Investigation Division
[REDACTED]



"Schmidt, Angela (USADC)"
 <Angela.Schmidt@usdoj.gov>
 >

11/29/2006 03:43 PM

To [REDACTED] DC/USEPA/US@EPA

cc "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,
 "Ballantine, Thomas (ENRD)"
 <Thomas.Ballantine@usdoj.gov>, [REDACTED]

bcc

Subject RE: [REDACTED]

It's definite, if one of you can make it, that is! Subpoena is ready.

-----Original Message-----

From: [REDACTED] epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Wednesday, November 29, 2006 1:06 PM

To: Schmidt, Angela (USADC)

Cc: Uhlmann, David (ENRD); Ballantine, Thomas (ENRD);

[REDACTED] epamail.epa.gov

Subject: RE: [REDACTED]

If 12/6 at 3:15 is definite I will call [REDACTED] and can serve [REDACTED] as early as tomorrow. I had planned on being in Roanoke next week but will reschedule unless [REDACTED] can be available for the 6th.

[REDACTED]
 Special Agent
 U.S. Environmental Protection Agency
 Criminal Investigation Division
 [REDACTED]

"Schmidt, Angela
 (USADC) "
 <Angela.Schmidt@
 usdoj.gov>

11/29/2006 11:16
 AM

"Uhlmann, David (ENRD) "
 <David.Uhlmann@usdoj.gov>, [REDACTED]
 [REDACTED] DC/USEPA/US@EPA

To

cc

"Ballantine, Thomas (ENRD) "
 <Thomas.Ballantine@usdoj.gov>,
 [REDACTED] OIG/USEPA/US@EPA
 Subject

RE: [REDACTED]

12/6 from 3:15 to 4:30 is available; the other day that they're already scheduled to come in is full.

-----Original Message-----

From: Uhlmann, David (ENRD)
Sent: Tuesday, November 28, 2006 7:54 PM
To: [REDACTED]@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov;
Schmidt, Angela (USADC)
Subject: Re: [REDACTED]

What is next available GJ date?

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>
To: Uhlmann, David (ENRD)
Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);
[REDACTED]@epamail.epa.gov>
Sent: Tue Nov 28 14:16:41 2006
Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)



[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
>

11/29/2006 11:39 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,
[REDACTED]DC/USEPA/US@EPA

cc "Ballantine, Thomas (ENRD)"
[REDACTED]Ballantine@usdoj.gov>,
[REDACTED]DIG/USEPA/US@EPA

bcc

Subject R [REDACTED]

We can do it, if that gives [REDACTED] enough time to serve the subpoena.
I signed up for the time in the grand jury and will type up a subpoena.

-----Original Message-----

From: Uhlmann, David (ENRD)
Sent: Wednesday, November 29, 2006 11:25 AM
To: [REDACTED]@epamail.epa.gov; Schmidt, Angela (USADC)
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov
Subject: RE: [REDACTED]

I cannot do 12/6, but if Angie or Tom can cover, I say let's go for it

-----Original Message-----

From: Schmidt, Angela (USADC)
Sent: Wednesday, November 29, 2006 11:16 AM
To: Uhlmann, David (ENRD); [REDACTED]@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov
Subject: RE: [REDACTED]

12/6 from 3:15 to 4:30 is available; the other day that they're already
scheduled to come in is full.

----- Original Message-----

From: Uhlmann, David (ENRD)
Sent: Tuesday, November 28, 2006 7:54 PM
To: [REDACTED]@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov;
Schmidt, Angela (USADC)
Subject: Re: [REDACTED]

What is next available GJ date?

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>
To: Uhlmann, David (ENRD)
Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);
[REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>
Sent: Tue 12/8 14:16:41 2006
Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

(b) (5)

Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division

[REDACTED]DC/USEPA/US
09/29/2006 01:31 PM

To [REDACTED]OIG/USEPA/US@EPA
cc
bcc
Subject Fw: Additional Info fo [REDACTED]

[REDACTED]

The second attachment is the new address in [REDACTED] I tried to contac [REDACTED] and I was told [REDACTED] So, we can try this last address, if it's no [REDACTED] then we will have to wait until we can get more info. as to wher [REDACTED] is.

Thanks

[REDACTED]

Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division

[REDACTED]

— Forwarded by [REDACTED]DC/USEPA/US on 09/29/2006 01:29 PM —

[REDACTED]DC/USEPA/US
09/28/2006 02:05 PM

To [REDACTED]DC/USEPA/US@EPA
cc
Subject Additional Info for [REDACTED]

[REDACTED]

Here's the additional information for the [REDACTED] matches:


[REDACTED] in VA1.pdf


[REDACTED] n VA2.pdf


[REDACTED] in FL.pdf

Take care,

[REDACTED]

EPA/CID
[REDACTED]

WARNING - The Information Contained Herein May Include LAW ENFORCEMENT SENSITIVE And/Or PRIVACY ACT INFORMATION, The Further Distribution Of Which (Beyond The Recipients To Whom It Has Been Addressed) May Be In Violation Of Federal Information Security Regulations, Civil And/Or Criminal Law Without The Expressed Prior Written Consent To Release And/Or Disseminate Further By The U.S. EPA-CID. If You Are Not The Intended Recipient, Please Contact The Sender By Reply E-Mail And Destroy All Copies Of The Original Message And Attachments



"Uhlmann, David (ENRD)"
<David.Uhlmann@usdoj.gov>

11/29/2006 11:24 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,

[REDACTED] DC/USEPA/US@EPA

cc "Ballantine, Thomas (ENRD)"

<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]

[REDACTED] OIG/USEPA/US@EPA

bcc

Subject RE: [REDACTED]

I cannot do 12/6, but if Angie or Tom can cover, I say let's go for it

-----Original Message-----

From: Schmidt, Angela (USADC)

Sent: Wednesday, November 29, 2006 11:16 AM

To: Uhlmann, David (ENRD); [REDACTED] epamail.epa.gov

Cc: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov

Subject: RE: [REDACTED]

12/6 from 3:15 to 4:30 is available; the other day that they're already scheduled to come in is full.

-----Original Message-----

From: Uhlmann, David (ENRD)

Sent: Tuesday, November 28, 2006 7:54 PM

To: [REDACTED] epamail.epa.gov

Cc: Ballantine, Thomas (ENRD); [REDACTED] epamail.epa.gov;

Schmidt, Angela (USADC)

Subject: Re: [REDACTED]

What is next available GJ date?

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

--- Original Message ---

From [REDACTED]

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

Sent: Tue Nov 28 14:16:41 2006

Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent

U.S. Environmental Protection Agency

Criminal Investigation Division
[REDACTED]



"Schmidt, Angela (USADC)"
<Angela.Schmidt@usdoj.gov>
>

11/29/2006 11:16 AM

To: "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,
[REDACTED]/DC/USEPA/US@EPA

cc: "Ballantine, Thomas (ENRD)"
<Thomas.Ballantine@usdoj.gov> [REDACTED]
[REDACTED]OIG/USEPA/US@EPA

bcc

Subject: RE: [REDACTED]

12/6 from 3:15 to 4:30 is available; the other day that they're already scheduled to come in is full.

-----Original Message-----

From: Uhlmann, David (ENRD)
Sent: Tuesday, November 28, 2006 7:54 PM
To: [REDACTED]@epamail.epa.gov
Cc: Ballantine, Thomas (ENRD); [REDACTED]@epamail.epa.gov;
Schmidt, Angela (USADC)
Subject: Re: [REDACTED]

What is next available GJ date?

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED]@epamail.epa.gov [REDACTED]@epamail.epa.gov>
To: Uhlmann, David (ENRD)
Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);
[REDACTED]
Sent: Tue Nov 28 14:16:41 2006
Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]
Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division
[REDACTED]



"Ballantine, Thomas (ENRD)"
<TBalenti@ENRD.USDOJ.G
OV>

11/29/2006 10:24 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,

[REDACTED] DC/USEPA/US@EPA

cc AngelaSchmidt

[REDACTED] T-AngelaSchmidt@jconmail.usdoj.gov> [REDACTED]

[REDACTED] OIG/USEPA/US@EPA

bcc

Subject RE: [REDACTED]

I'll be here, hammering away, ready to speak about [REDACTED] I have a call out to [REDACTED] to see what we should expect in terms of a production today. I'm not sure what our next GJ date is for [REDACTED] but we'll find out.

-TTB

-----Original Message-----

From: Uhlmann, David (ENRD)

Sent: Wednesday, November 29, 2006 9:32 AM

To: [REDACTED] @epamail.epa.gov'

Cc: 'AngelaSchmidt'; Ballantine, Thomas (ENRD);

[REDACTED] @epamail.epa.gov'

Subject: Re: [REDACTED]

[REDACTED]
Thanks for talking with [REDACTED] That was the right thing to do.

Tom,

Let's talk today about [REDACTED] I am home [REDACTED] but will call in later this AM.

David

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED] @epamail.epa.gov [REDACTED] @epamail.epa.gov>

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

[REDACTED]
Sent: Tue Nov 28 11:29:48 2006

Subject: [REDACTED]

Spoke with [REDACTED] this morning and let [REDACTED] know we would be taking a look at [REDACTED] emails. [REDACTED] appreciated the call. Hope everyone had a good Thanksgiving. Let me know when someone has spoken to [REDACTED] and I will contact th [REDACTED] guys

[REDACTED]
Special Agent

U.S. Environmental Protection Agency

Criminal Investigation Division
[REDACTED]



"Uhlmann, David (ENRD)"
<David.Uhlmann@usdoj.gov>

11/29/2006 09:32 AM

To [REDACTED] DC/USEPA/US@EPA

cc AngelaSchmidt
<LMCEAWT-AngelaSchmidt@jconmail.usdoj.gov>,
"Ballantine, Thomas (ENRD)"

bcc

Subject Re:

Thanks for talking with [REDACTED] That was the right thing to do.

Tom,

Let's talk today about [REDACTED] I am home [REDACTED] but will call in later this AM.

David

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

Fro epamail.epa.gov epamail.epa.gov>

To: David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD) [REDACTED] epamail.epa.gov
[REDACTED]@epamail.epa.gov>

Sent: Tue Nov 28 11:29:48 2006

Subject: [REDACTED]

Spoke with [REDACTED] this morning and let [REDACTED] know we would be taking a look at [REDACTED] emails. [REDACTED] appreciated the call. Hope everyone had a good Thanksgiving. Let me know when someone has spoken to [REDACTED] and I will contact the [REDACTED] guys

Special Agent
U.S. Environmental Protection Agency
Criminal Investigation Division

~~~~~

[REDACTED] DC/USEPA/US  
11/27/2006 03:13 PM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
bcc  
Subject [REDACTED]

Report for your comments



11\_20\_06 [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/27/2006 10:20 AM

To [REDACTED]  
cc [REDACTED] OIG/USEPA/US@EPA  
bcc  
Subject Re: Thermal Expansion 

Thank you [REDACTED]  
[REDACTED]

Special Agent  
U.S. Environmental Protection Agency  
[REDACTED] Division  
[REDACTED]  
[REDACTED]



[REDACTED]  
11/21/2006 09:34 AM

To [REDACTED] DC/USEPA/US@EPA  
cc  
Subject Thermal Expansion

I did not give you another reason why I felt the use of water temperature was not a good idea for determining when to sample the water. When the water is off in a house for a long period of time, say 8 hours, the water in a hot water heater expands and flows back to the water main in the street. The current plumbing code requires thermal expansion tanks on hot water heaters if a backflow preventer is installed on a water service. These tanks are necessary to prevent the water from increasing the pressure in the internal plumbing of a house. My point is the change in water temperature could only occur if it was water from the public water main but only if the sample was taken after a long waiting period. The length of pipe within a house and out in the street will have an effect on how far the hot water heats the water in the cold water supply line.

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED] OIG/USEPA/US  
11/20/2006 02:03 PM

To [REDACTED] DC/USEPA/US@EPA  
cc  
bcc  
Subject RE: Training room available in the PM on Tuesday

Sounds good [REDACTED]

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/20/2006 01:57 PM

To [REDACTED] IG/USEPA/US@EPA  
cc  
Subject RE: Training room available in the PM on Tuesday

I'll meet you in the lobby at 10:30, casually dressed

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] OIG/USEPA/US  
11/20/2006 01:56 PM

To [REDACTED] DC/USEPA/US@EPA  
cc  
Subject RE: Training room available in the PM on Tuesday

[REDACTED] - Are you going to this meeting prior to the document review? If so I'll plan on being there at 10:30 too. I'll still plan on the business casual attire if you are.

[REDACTED]  
Special Agent  
Office of Investigations  
[REDACTED]



[REDACTED] DC/USEPA/US

[REDACTED] DC/USEPA/US

11/20/2006 11:48 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
[REDACTED] (ENRD)"  
[REDACTED]@ENRD.USDOJ.GOV>, "Ballantine, Thomas  
(ENRD)" <TBalenti@ENRD.USDOJ.GOV> [REDACTED]

Subject [REDACTED] M on Tuesday

Works for me. I was travelling all day Friday so I was not around to respond to emails. See you tomorrow.  
[REDACTED] and I can update tomorrow on [REDACTED] interview.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>  
>  
11/17/2006 03:53 PM

[REDACTED] (ENRD)"  
[REDACTED]@ENRD.USDOJ.GOV>, "Ballantine, Thomas  
Balenti@ENRD.USDOJ.GOV> "Schmidt, Angela  
(USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED]  
cc [REDACTED]

Subject RE: Training room available in the PM on Tuesday

All,

Let's plan to meet a bit earlier, say 10:30, to catch up on our to-do items, and then we can move on to the training room. Does that work for everyone?

David

---

**From:** [REDACTED] (ENRD)  
**Sent:** Friday, November 17, 2006 10:40 AM  
**To:** Uhlmann, David (ENRD); Ballantine, Thomas (ENRD); Schmidt, Angela (USADC); [REDACTED]@epaemail.epa.gov  
**Subject:** Training room available in the PM on Tuesday

All,

There's a morning class in the training room for Tuesday 11/21, but it is now reserved for us afterwards we can get in 11:30AM for doc review.

[REDACTED]

Paralegal

Environmental Crimes Section

U.S. Department of Justice

[REDACTED]

[REDACTED] DC/USEPA/US  
11/20/2006 01:57 PM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
bcc

Subject RE: Training room available in the PM on Tuesday

History: This message has been replied to.

I'll meet you in the lobby at 10:30, casually dressed

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency



[REDACTED] DIG/USEPA/US  
11/20/2006 01:56 PM

To [REDACTED] DC/USEPA/US@EPA  
cc  
Subject RE: Training room available in the PM on Tuesday

[REDACTED] - Are you going to this meeting prior to the document review? If so I'll plan on being there at 10:30 too. I'll still plan on the business casual attire if you are.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC

[REDACTED] DC/USEPA/US  
11/20/2006 11:48 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED] (ENRD)" <[REDACTED]@ENRD.USDOJ.GOV>, "Ballantine, Thomas (ENRD)" <T.Balenti@ENRD.USDOJ.GOV>, [REDACTED] IG/USEPA/US@EPA  
Subject RE: Training room available in the PM on Tuesday

Works for me. I was travelling all day Friday so I was not around to respond to emails. See you tomorrow. [REDACTED] and I can update tomorrow on [REDACTED] interview.

[REDACTED]  
Special Agent

U.S. Environmental Protection Agency  
Criminal Investigation Division

[REDACTED]  
"Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>  
>

11/17/2006 03:53 PM

"[REDACTED] (ENRD)"  
[REDACTED]@ENRD.USDOJ.GOV>, "Ballantine, Thomas  
To (ENRD)" <TBalenti@ENRD.USDOJ.GOV>, [REDACTED] dt, Angela  
(USADC)" <Angela.Schmidt@usdoj.gov> [REDACTED]  
[REDACTED]DC/USEPA/US@EPA  
cc

Subject RE: Training room available in the PM on Tuesday

All,

Let's plan to meet a bit earlier, say 10:30, to catch up on our to-do items, and then we can move on to the training room. Does that work for everyone?

David

---

**From:** [REDACTED] (ENRD)

**Sent:** Friday, November 17, 2006 10:40 AM

**To:** Uhlmann, David (ENRD); Ballantine, Thomas (ENRD); Schmidt, Angela (USADC); [REDACTED] epamail.epa.gov


**Subject:** Training room available in the PM on Tuesday


All,

There's a morning class in the training room for Tuesday 11/21, but it is now reserved for us afterwards we can get in 11:30AM for doc review.

[REDACTED]  
Paralegal  
Environmental Crimes Section  
U.S. Department of Justice  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/20/2006 11:48 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED] (ENRD)"  
[REDACTED] ENRD.USDOJ.GOV>, "Ballantine, Thomas  
bcc [REDACTED]  
Subject RE: Training room available in the PM on Tuesday 

History:  This message has been replied to.

Works for me. I was travelling all day Friday so I was not around to respond to emails. See you tomorrow.  
[REDACTED] and I can update tomorrow o [REDACTED] interview.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

"Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>

11/17/2006 03:53 PM

"[REDACTED] (ENRD)"  
[REDACTED] ENRD.USDOJ.GOV>, "Ballantine, Thomas  
To (ENRD)" <TBalenti@ENRD.USDOJ.GOV>, "Schmidt, Angela  
(USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED]  
[REDACTED] DC/USEPA/US@EPA  
cc [REDACTED]

Subject RE: Training room available in the PM on Tuesday

All,

Let's plan to meet a bit earlier, say 10:30, to catch up on our to-do items, and then we can move on to the training room. Does that work for everyone?

David

---

**From:** [REDACTED] (ENRD)  
**Sent:** Friday, November 17, 2006 10:40 AM  
**To:** Uhlmann, David (ENRD); Ballantine, Thomas (ENRD); Schmidt, Angela (USADC) [REDACTED] pmail.epa.gov  
**Subject:** Training room available in the PM on Tuesday

All,

There's a morning class in the training room for Tuesday 11/21, but it is now reserved for us afterwards we can get in 11:30AM for doc review.



[REDACTED]

Paralegal

Environmental Crimes Section

U.S. Department of Justice

[REDACTED]

[REDACTED] DC/USEPA/US

11/13/2006 03:37 PM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>

cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"

<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]

bcc

Subject Re: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
[REDACTED] sion

"Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>

11/13/2006 03:33 PM

To [REDACTED] DC/USEPA/US@EPA

"Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"

cc <TBalenti@ENRD.USDOJ.GOV>, [REDACTED]

[REDACTED] OIG/USEPA/US@EPA

Subject Re: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED] epamail.epa.gov [REDACTED]@epamail.epa.gov>

To: Uh David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD) [REDACTED] epamail.epa.gov  
[REDACTED]@epamail.epa.gov>

Sent: Mon Nov 13 14:54:01 2006

Subject: [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>

11/13/2006 03:33 PM

To [REDACTED] DC/USEPA/US@EPA

cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV> [REDACTED]

bcc

Subject Re [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From [REDACTED] epamail.epa.gov [REDACTED] epamail.epa.gov>

To: David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD) [REDACTED]@epamail.epa.gov  
[REDACTED]@epamail.epa.gov>

Sent: Mon Nov 4:54:01 2006

Subject [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/13/2006 02:54 PM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>, "Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>, [REDACTED]  
bcc

Subject [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



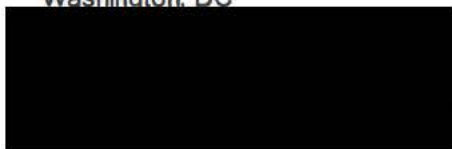


[REDACTED] OIG/USEPA/US  
11/13/2006 03:08 PM

To [REDACTED] DC/USEPA/US@EPA  
cc  
bcc  
Subject Re [REDACTED] interview

Sounds good [REDACTED] Hope all is well in the "Star City of the South".

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC



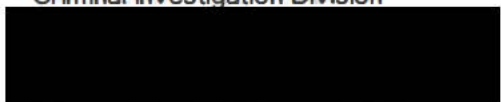
[REDACTED] DC/USEPA/US  
11/13/2006 02:39 PM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
Subject Re [REDACTED] interview

Great. I will be in Roanoke the rest of the week. Lets plan on meeting at [REDACTED] a little before 9am on 11/20.

He's at [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division



[REDACTED] OIG/USEPA/US  
11/13/2006 02:17 PM

To [REDACTED] C/USEPA/US@EPA  
cc  
Subject Re [REDACTED] interview

Sure [REDACTED] I'm available for Subpoena service too. This time I'll get there the same time you do!

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC



[REDACTED]  
[REDACTED]/DC/USEPA/US

11/13/2006 01:55 PM

To [REDACTED] DIG/USEPA/US@EPA


cc


Subject [REDACTED] interview

[REDACTED]  
Are you available next Monday @ 9am to interview [REDACTED] at [REDACTED] work in [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/13/2006 02:39 PM

To [REDACTED]/OIG/USEPA/US@EPA  
cc  
bcc  
Subject Re [REDACTED] interview 

History:  This message has been replied to.


Great. I will be in Roanoke the rest of the week. Lets plan on meeting at [REDACTED] a little before 9am on 11/20.

He's at [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED]  
11/13/2006 02:17 PM

To [REDACTED] DC/USEPA/US@EPA  
cc  
Subject Re [REDACTED] interview 

Sure [REDACTED] I'm available for Subpoena service too. This time I'll get there the same time you do!

[REDACTED]  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/13/2006 01:55 PM

To [REDACTED]/OIG/USEPA/US@EPA  
cc  
Subject [REDACTED] interview

[REDACTED]  
Are you available next Monday @ 9am to interview [REDACTED] at [REDACTED] work in [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] OIG/USEPA/US  
11/13/2006 02:17 PM

To [REDACTED] /DC/USEPA/US@EPA  
cc  
bcc  
Subject Re: [REDACTED] Interview

Sur [REDACTED] I'm available for Subpoena service too. This time I'll get there the same time you do!

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] DC/USEPA/US  
11/13/2006 01:55 PM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
Subject [REDACTED] Interview

[REDACTED]  
Are you available next Monday @ 9am to interview [REDACTED] at [REDACTED] work in [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED]/DC/USEPA/US

11/13/2006 01:55 PM

To [REDACTED]OIG/USEPA/US@EPA

cc

bcc

Subject [REDACTED] Interview

History:

 This message has been replied to.

[REDACTED]  
Are you available next Monday @ 9am to interview [REDACTED] a [REDACTED] work in [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
[REDACTED] vision  
[REDACTED]



"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV>

11/13/2006 01:28 PM

To: "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>,  
[REDACTED] DC/USEPA/US@EPA  
cc: "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
[REDACTED] OIG/USEPA/US@EPA

bcc

Subject: RE: [REDACTED] Subpoena

(b) (5)

-- Original Message-- --

From: Uhlmann, David (ENRD)

Sent: Monday, November 13, 2006 1:27 PM

To: [REDACTED] epamail.epa.gov'

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

[REDACTED] epamail.epa.gov'

Subject: Re: [REDACTED] Subpoena

(b) (5)

Please keep us posted.

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

----- Original Message -----

From: [REDACTED] >

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

[REDACTED] >

Sent: Mon Nov 13 10:51:49 2006

Subject: [REDACTED] Subpoena

[REDACTED] called me this morning and said the docs. should be ready by Thurs. She thought it would be 2 boxes worth. I will not be in town but told her they could be delivered to my office on Thurs. I will be sure someone is here to receive them.

(b) (5), (b) (6), (b) (7)(C)


I'll keep you posted.

[REDACTED]  
Special Agent

U.S. Environmental Protection Agency

Criminal Investigation Division  
[REDACTED]

[REDACTED]/DC/USEPA/US  
11/13/2006 11:34 AM

To "Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
[REDACTED] (ENRD)" <David.Uhlmann@usdoj.gov>,  
[REDACTED] OIG/USEPA/US@EPA  
bcc  
Subject RE: [REDACTED] Subpoena 

[REDACTED] is going to call me when they are ready, so if that is prior to Thurs. I will make arrangements to have them delivered.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
[REDACTED] Division  
[REDACTED]

"Ballantine, Thomas (ENRD)" <TBalenti@ENRD.USDOJ.GOV>



"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV>

11/13/2006 11:32 AM

To [REDACTED] DC/USEPA/US@EPA, "Uhlmann, David  
(ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
[REDACTED] OIG/USEPA/US@EPA  
Subject RE: [REDACTED] subpoena

(b) (5), (b) (6), (b) (7)(C)



-Original Message-----

From: [REDACTED] epamail.epa.gov [mailto:[REDACTED] epamail.epa.gov]

Sent: Monday, November 13, 2006 10:52 AM

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

[REDACTED] epamail.epa.gov

Subject: [REDACTED] Subpoena

[REDACTED] called me this morning and said the docs. should be ready by Thurs. She thought it would be 2 boxes worth. I will not be in town but told her they could be delivered to my office on Thurs. I will be sure someone is here to receive them.

(b) (5), (b) (6), (b) (7)(C)



I'll keep you posted.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV>

11/13/2006 11:32 AM

To: [REDACTED]DC/USEPA/US@EPA, "Uhlmann, David  
(ENRD)" <David.Uhlmann@usdoj.gov>  
cc: "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>, [REDACTED]DIG/USEPA/US@EPA

bcc

Subject: R [REDACTED] Subpoena

(b) (5), (b) (6), (b) (7)(C)

-----Original Message-----

From: [REDACTED]@epamail.epa.gov [mailto:[REDACTED]@epamail.epa.gov]

Sent: Monday, November 13, 2006 10:52 AM

To: Uhlmann, David (ENRD)

Cc: Schmidt, Angela (USADC); Ballantine, Thomas (ENRD);

[REDACTED]@epamail.epa.gov

Subject: [REDACTED] Subpoena

[REDACTED] called me this morning and said the docs. should be ready by Thurs. She thought it would be 2 boxes worth. I will not be in town but told her they could be delivered to my office on Thurs. I will be sure someone is here to receive them.

(b) (5), (b) (6), (b) (7)(C)

I'll keep you posted.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] /DC/USEPA/US

11/13/2006 10:51 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>

cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV [REDACTED]>

bcc

Subject [REDACTED] Subpoena [REDACTED]

[REDACTED] called me this morning and said the docs. should be ready by Thurs. She thought it would be 2 boxes worth. I will not be in town but told her they could be delivered to my office on Thurs. I will be sure someone is here to receive them.

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

I'll keep you posted.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] DIG/USEPA/US  
11/08/2006 12:21 PM

To [REDACTED] DC/USEPA/US@EPA  
cc  
bcc  
Subject Re: WASA Interview

Sure [REDACTED]

I'll keep an ear out for you.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] C/USEPA/US  
11/08/2006 12:17 PM

To [REDACTED] DIG/USEPA/US@EPA  
cc  
Subject Re: WASA Interview

Thank [REDACTED]

I'll talk to you tomorrow about where we can meet. [REDACTED] (hopefully) address i [REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] DIG/USEPA/US  
11/08/2006 11:42 AM

To [REDACTED] DC/USEPA/US@EPA  
cc  
Subject Re: WASA Interview

[REDACTED]  
I'll be glad to go with you. I can follow you so you won't have to drive me back.  
[REDACTED]

Special Agent  
Office of Investigations  
Washington, DC

[REDACTED]

[REDACTED] DC/USEPA/US

11/08/2006 11:22 AM

To [REDACTED] OIG/USEPA/US@EPA

cc

Subject: WASA Interview

Hey [REDACTED]

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED]

thanks


[REDACTED]

Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division

[REDACTED]

[REDACTED] DC/USEPA/US  
11/08/2006 12:17 PM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
bcc  
Subject Re: WASA Interview 

History:  This message has been replied to.

Thanks [REDACTED]

I'll talk to you tomorrow about where we can meet. [REDACTED] (hopefully) address is [REDACTED]  
[REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] OIG/USEPA/US  
11/08/2006 11:42 AM

To [REDACTED] DC/USEPA/US@EPA  
cc  
Subject Re: WASA Interview 

[REDACTED]  
I'll be glad to go with you. I can follow you so you won't have to drive me back.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] C/USEPA/US  
11/08/2006 11:22 AM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
Subject WASA Interview

Hey [REDACTED]

(b) (5), (b) (6), (b) (7)(C)



thanks



Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division







[REDACTED] OIG/USEPA/US

11/08/2006 11:42 AM

To [REDACTED] DC/USEPA/US@EPA

cc

bcc [REDACTED] OIG/USEPA/US@EPA

Subject Re: WASA Interview

[REDACTED]

I'll be glad to go with you. I can follow you so you won't have to drive me back.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] DC/USEPA/US

11/08/2006 11:22 AM

To [REDACTED] OIG/USEPA/US@EPA

cc

Subject WASA Interview

Hey [REDACTED]

(b) (5), (b) (6), (b) (7)(C)

[REDACTED]

thanks

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED]  
1350 I Street, N.W.  
Suite 700  
Washington, D.C. 20005-3311  
[REDACTED]

November 2, 2006

**HAND DELIVERY**

David M. Uhlmann  
Chief  
Environment and Natural Resources Division  
United States Department of Justice  
601 D Street, N.W.  
Washington, D.C. 20001

Re: DC WASA/Criminal Investigation

(b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED]

BEVERIDGE & DIAMOND<sub>PC</sub>

David M. Uhlmann

November 2, 2006


Page 2

(b) (6), (b) (7)(C), (b) (7)(E)





[REDACTED] DIG/USEPA/US  
10/23/2006 07:27 AM

To [REDACTED] DC/USEPA/US@EPA  
cc  
bcc  
Subject Re: DC Dept. of Employee Services 

Thanks [REDACTED] Please let me know if I can do anything to help, like document reviews, witness searches, subpoenas, etc. Take care.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

[REDACTED] DC/USEPA/US  
10/20/2006 01:50 PM

To [REDACTED] DIG/USEPA/US@EPA  
cc  
Subject DC Dept. of Employee Services

[REDACTED]  
(b) (7)(E) [REDACTED]



dcdoes\_request.doc

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
[REDACTED] Division  
[REDACTED]







[REDACTED] OIG/USEPA/US  
10/12/2006 10:57 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>  
cc  
bcc  
Subject RE: 6e list

Angie - Thank you for getting back to me so quickly.

(b) (5), (b) (6), (b) (7)(C)

[REDACTED] My work address is listed below:

EPAOIG  
Two Potomac Yards  
2733 South Crystal Drive  
[REDACTED]

Take and thanks again. I did finally get the our case file today.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC  
[REDACTED]

"Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>



"Schmidt, Angela (USADC)"  
<Angela.Schmidt@usdoj.gov>  
>  
10/12/2006 10:06 AM

To [REDACTED] OIG/USEPA/US@EPA  
cc  
Subject RE: 6e list

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)


-----Original Message-----

From: [REDACTED] amail.epa.gov  
[mailto:[REDACTED]@epamail.epa.gov]  
Sent: Thursday, October 12, 2006 10:02 AM  
To: Schmidt, Angela (USADC)  
Subject: 6e list

Hello Angela,

[REDACTED]  
[REDACTED]  
Special Agent

Office of Investigations  
Washington, DC





[REDACTED] OIG/USEPA/US  
10/10/2006 11:01 AM

To [REDACTED] DC/USEPA/US@EPA  
cc  
bcc  
Subject Re: Meeting with Counsel for [REDACTED]

[REDACTED] I plan to be there today also. Thanks.

[REDACTED]  
Special Agent  
Office of Investigations  
Washington, DC

[REDACTED] DC/USEPA/US  
09/28/2006 09:22 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV> [REDACTED]  
[REDACTED] USEPA/US@EPA, [REDACTED]  
[REDACTED] OIG/USEPA/US@EPA  
Subject Re: Meeting with Counsel for [REDACTED]

I'll be there

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

"Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>  
09/28/2006 07:59 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV> [REDACTED]  
[REDACTED] DC/USEPA/US@EPA  
cc  
Subject Meeting with Counsel for [REDACTED]

All,

(b) (5), (b) (6), (b) (7)(C)

Will follow up with details. For now,

please save 10/10 at 2:00 for a meeting with [REDACTED] at ECS.

David

[REDACTED] DC/USEPA/US  
09/29/2006 10:22 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
[REDACTED] DIG/USEPA/US@EPA

bcc

Subject Subpoenas 

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[REDACTED]

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]



[REDACTED] DC/USEPA/US  
09/28/2006 09:22 AM

To "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>  
cc "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV>, [REDACTED]  
bcc  
Subject Re: Meeting with Counsel for [REDACTED]

History: This message has been replied to.

I'll be there

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

"Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>



"Uhlmann, David (ENRD)"  
<David.Uhlmann@usdoj.gov>

09/28/2006 07:59 AM

To "Schmidt, Angela (USADC)" <Angela.Schmidt@usdoj.gov>,  
"Ballantine, Thomas (ENRD)"  
<TBalenti@ENRD.USDOJ.GOV> [REDACTED]  
[REDACTED] C/USEPA/US@EPA  
cc  
Subject Meeting with Counsel for [REDACTED]

All,

(b) (5), (b) (6), (b) (7)(C)

[REDACTED] Will follow up with details. For now,  
please save 10/1 at 2:00 for a meeting with him at ECS.  
[REDACTED]

[REDACTED] DC/USEPA/US  
09/15/2006 11:20 AM

To [REDACTED] OIG/USEPA/US@EPA, [REDACTED]  
[REDACTED] IG/USEPA/US@EPA  
cc  
bcc  
Subject Fw: Monday's meeting

FYI-

Thanks for the help on Monday. I look forward to meeting you both in the future.

[REDACTED]  
Special Agent  
U.S. Environmental Protection Agency  
Criminal Investigation Division  
[REDACTED]

— Forwarded by [REDACTED] DC/USEPA/US on 09/15/2006 11:18 AM —



"Schmidt, Angela (USADC)"  
<Angela.Schmidt@usdoj.gov>  
>  
09/14/2006 06:56 PM

To [REDACTED]  
cc "Uhlmann, David (ENRD)" <David.Uhlmann@usdoj.gov>, [REDACTED] DC/USEPA/US@EPA  
Subject Monday's meeting

[REDACTED]  
(b) (7)(E)

to do so. For your planning purposes, our offices are located in Northwest, Washington, D.C., near the U.S. Capitol. We'll be happy to give you detailed directions upon confirming our meeting. I will be out of the office tomorrow, but Mr. Uhlmann will be available by e-mail or phone at (202) 305-0337 should you have any questions.

Thank you,  
Angie Schmidt  
Assistant U.S. Attorney  
District of Columbia  
(202) 514-7273



## Weather

**Today:** Mostly sunny, breezy. High 86. Low 70.  
**Saturday:** Sun early, late showers. High 88. Low 70.

Details, Page B3

# The Washi

127TH YEAR No. 224 M2

VA

FRIDAY,

## Ex-Riggs Manager Won't Testify *Senate Panel Probes Money From Equatorial Guinea*

By **TERENCE O'HARA** and **KATHLEEN DAY**  
*Washington Post Staff Writers*

A former Riggs Bank manager yesterday invoked the Fifth Amendment and refused to answer questions from a Senate panel investigating his handling of hundreds of millions of dollars in suspicious transactions for a West African dictator, including why he lugged a 60-pound suitcase stuffed with \$3 million in plastic-wrapped cash to Riggs's Dupont Circle branch.

The Senate probe is the latest in a series of investigations into Riggs's once-prestigious embassy banking division, now tarnished by reports that it helped former Chilean dictator Augusto Pinochet hide millions and that it appears to have allowed its

biggest customer, Equatorial Guinea, and that country's president, Teodoro Obiang Nguema, to siphon oil revenue into his personal accounts. Despite the fact Obiang and his wife made cash deposits of nearly \$13 million over a three-year period into their Riggs accounts, the bank never filed a single suspicious activity report to federal regulators as required by law.

The Senate permanent subcommittee on investigations called four current and former Riggs executives to testify yesterday, after releasing the results of its year-long probe into the bank. Simon P. Kareri, who managed Riggs's West African business until he was fired in January, was the only executive to assert his

See RIGGS, A12, Col. 1

## 4-Month Probe Cites Disarray Within WASA

*Communication Failures Hurt  
Response to High Lead Levels*

By **DAVID NAKAMURA**  
*Washington Post Staff Writer*

Communication breakdowns and internal conflicts at the D.C. Water and Sewer Authority kept senior managers from promptly detecting and properly disclosing lead contamination problems in the drinking water, according to an independent report commissioned by the utility.

The report, written under the direction of former U.S. deputy attorney general Eric H. Holder Jr., concludes that the agency's water quality division was in disarray as excessive levels of lead began to appear in the drinking water at some District homes.

The four-month investigation found that personality conflicts between staff members, in part attributable to alleged irregularities in the way WASA was conducting its water sampling, led to a previously undisclosed probe of the lead monitoring program two years ago. That probe, by the D.C. inspector general and the U.S. Environmental Protection Agency, found no wrongdoing.





# Chairman to Resign After 6 Years

By ELISSA SILVERMAN  
Washington Post Staff Writer

The chairman of the D.C. Water and Sewer Authority announced his resignation yesterday, timing his departure to coincide with the change of leadership in District government.

Glenn S. Gerstell was appointed by Mayor Anthony A. Williams (D) to the authority's board in January 2001 and became its chairman. He agreed to serve another four-year term in the fall of 2004, a turbulent year that began with media reports disclosing excessive lead levels in the city's water. The Environmental Protection Agency later ruled that the authority had violated the Safe Drinking Water Act.

Gerstell admitted that the authority was initially slow in reacting. "There's no question that was a real challenge for us, to all the members of the board," Gerstell said yesterday. "The extent of the problem was indeed a surprise."

Gerstell said he knew he wouldn't serve out the full second term, but he wanted to remain in place for a time to help restore the public's confidence in the agency.

Some had initially called for the ouster of Gerstell and other top

officials, given that the authority had known since at least 2002 that high levels of lead had been detected in some homes, but Williams resisted and kept the authority's leadership in place.

Several measures were taken. WASA distributed free water filters and agreed to replace all lead service lines by 2010.

Then the Washington Aqueduct, which supplies the water and is managed by the Army Corps of Engineers, added a phosphate chemical to the water supply in an effort to stop lead from leaching from service pipes.

"I think every District resident owes Glenn a debt for his productive term on the board, a period in which WASA continued to make excellent strides forward in terms of modernization, water quality and customer service," Williams said in a written statement.

Gerstell said yesterday that he was happy to report that the lead line replacements are ahead of schedule and that more than 10,000 lines have been replaced so far.

Aside from leading the agency through the lead contamination problem, Gerstell, who is managing partner with the law firm Milbank, Tweed, Hadley & McCloy,

said he took the most pride in making WASA more customer-friendly. When he first joined the board, he suggested that the authority implement automatic payment and allow customers to pay by credit card online.

The measures were put in place quickly.

During his tenure, the agency replaced all water meters in residential buildings with automated electronic meters to improve billing accuracy.

WASA also had its bond rating upgraded to "AA-," which reduces the interest rates it pays on debt and keeps costs lower for customers.

Gerstell said that he will serve until incoming mayor Adrian M. Fenty, who officially takes office Jan. 2, appoints someone to replace him on the WASA board.

Yesterday Fenty thanked Gerstell for his service.

"I applaud his work in helping to restore public confidence in the Authority, but I also appreciate that six years is a long time for a demanding volunteer position," Fenty said in a written statement yesterday.

"At the time I took the position I didn't have a sense of how challenging — and how rewarding — it would be," Gerstell said.



Published: Dec 22, 2006 12:30 AM  
Modified: Dec 22, 2006 05:27 AM

## Durham withheld bad lead-test results

The city acknowledges failing to let state regulators know about at least 20 samples from seven homes. It also did not alert some homeowners about tainted tap water

**MICHAEL BIESECKER, Staff Writer**

**DURHAM** - The city of Durham submitted test results in October indicating its drinking water met federal standards. But the city withheld samples in which lead was detected in dangerous amounts.

Following a News & Observer investigation, Durham officials acknowledged this week that they failed to disclose at least 20 test results from seven homes to state regulators, a violation of federal rules. Five homes had high levels of lead.

The city didn't notify residents of some affected homes that their tap water was tainted, a violation that endangered the health of those families. Ingesting even tiny amounts of lead can be toxic for pregnant women and children under 6, causing brain damage and developmental difficulties.

"We overlooked some things," said Vicki Westbrook, the city water department's manager for regulatory compliance. "We made mistakes. But it wasn't like we were trying to hide anything. We didn't do this on purpose."

Knowingly submitting false test results is a felony under the federal Safe Drinking Water Act, punishable by fines and prison time. Durham's director of water management, Terry Rolan, said his department's failure to disclose the data properly resulted from ignorance of the rules.

"Nobody in our department would knowingly do that," said Rolan, national president of the American Waterworks Association, an advocacy and lobbying group for water systems. He said the city conducted a "special internal investigative study" of selected homes in areas thought to be at highest risk, not knowing the results could be held against it.

"We might have shot ourselves in the foot by trying to do the right thing," Rolan said.

Since The N&O started raising questions about Durham's lead tests in November, the city sent hundreds more sampling results to the state Division of Environmental Health. The city expects to deliver another batch of previously undisclosed results from the additional study to state regulators today.

### MORE PHOTOS

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### Taking measures against lead exposure

#### RECOMMENDED PRECAUTIONS

State and local officials recommend that all Durham residents take the following precautions if they live in a home built before 1986 to greatly reduce the risk of lead contamination in their tap water:

- \* Use only water from the cold water tap for cooking and drinking; hot water can dissolve lead more quickly than cold water. Boiling your water will not reduce the amount of lead in your water.
- \* Run water through your tap before consuming: After water has been sitting in the pipes for more than six hours, run your cold water for two to four minutes before using it to drink or prepare food. During the day, run the water for a minute before consuming.

- \* Remove and clean faucet strainers/aerators every two to three weeks.

#### HOW TO TEST YOUR WATER

Testing through your local municipality is free if you have a valid concern about water quality. The Durham lab has a backlog of three weeks or more between making the call and getting results.

City of Durham: 560-1200

- \* If you prefer to use a local commercial laboratory, lead testing should range from \$15 to \$30 if you take the sample yourself. If a technician comes to your home, expect an additional fee.

- \* Try the certified nonprofit Clean Water Lead Testing Inc. After you receive the kit in the mail, collect two samples from your tap and mail the samples back. You will receive a detailed lab report in four to six weeks. Order tests by visiting [www.leadtesting.org](http://www.leadtesting.org). Tests are \$24 to \$30.



Terry Pierce, director of the Division of Environmental Health, said Wednesday that Durham likely will be required to recalculate its score on the compliance test.

That could cause the city to fail safe drinking water standards, triggering tighter regulatory supervision and potentially scuttling a multimillion-dollar deal to supply drinking water to the neighboring town of Hillsborough.

Chris Thomas, the U.S. Environmental Protection Agency's section chief in charge of drinking water for an eight-state region that includes North Carolina, said he was "troubled" by Durham's failure to disclose so many results from homes it was required to test.

"That's a red flag," Thomas said.

### Testing required

Durham, like all sizable public water suppliers, is required by federal law to test water from carefully selected residences for lead. The results the city has reported since 1991 have always complied with federal standards, so Durham is allowed to test every three years.

The compliance system is based on self-monitoring and trust. Most water systems send samples to the state lab in Raleigh or to a private facility for testing. But Durham, like nine other North Carolina cities, has its own state-certified lab. Raleigh and Cary also maintain labs.

Durham was asked to perform tests a year early after blood from a child from the Penrith Townhomes was found in March to contain high amounts of lead.

The Durham County Health Department tested water from the kitchen faucet of the child's apartment and found it contained lead at 837 parts per billion -- nearly 60 times the federal limit considered safe. It was the second case of lead poisoning linked to a North Carolina public water system.

The homes at highest risk for lead contamination are those built before December 1985, when a statewide ban took effect on all but tiny traces of lead in pipe solder. According to U.S. Census Bureau records, about 65,000 houses and apartments in Durham were built before the ban.

Cities of Durham's size must test a minimum of 50 homes. As long as no more than 10 percent of the samples contain lead above the federal limit of 15 parts per billion, a water provider is in compliance with the Safe Drinking Water Act.

In past years, Durham has sampled far more than the minimum number of sites. Once a home is included in the city's approved compliance sampling pool, however, the rules say the city must try to test it each time. Homes can be excluded only for reasons the city must disclose, such as when a house is vacant or a homeowner refuses to provide a sample.

### WHO CAN TEST YOUR WATER

Raleigh: Tritest: 834-4984

Cary: Chemical & Environmental Technology: 467-3090

For a complete listing of municipal and commercial laboratories, visit:

<http://slph.state.nc.us/EnvironmentalSciences/Certification/CertifiedLaboratory.asp>.

### HOW TO GET TESTED FOR LEAD EXPOSURE

Call your physician for information on testing or call Robert Brown at Durham County Environmental Health at 560-7801

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In 2004, the last time Durham sampled before this year, the city submitted results from 95 homes. Only four tested over the federal lead limit of 15 parts per billion.

An additional 16 sites were listed as homes that couldn't be sampled because they were vacant or the owner was away.

Despite increased scrutiny following the lead poisoning case, this year the city reported collecting samples from just 69 houses on its required list. Once again, four homes were reported over the limit -- well within the allowable 10 percent margin. But the number of homes from which the city said it couldn't get samples rose to 44.

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#### Clarion Drive case

Among those sites was a three-bedroom ranch house at 716 Clarion Drive.

State records show samples have been collected there every year the city previously performed such tests -- 1991, 1992, 1993, 1994, 1995, 1998, 2001 and 2004.

In 2004, records show a water sample from the Clarion Drive house had lead at 61 parts per billion -- more than four times the federal limit and the highest reading of any home reported that year in Durham.

Homeowner Donald Morgan questioned Durham's 2006 submission to state regulators, which indicated he refused to provide the city a water sample.

"We turned in our sample, and then they called us back and said there was a problem with it and that the lab needed another sample," said Morgan, whose family has lived in the house since it was built in 1985. "We gave it to them, and then we never heard back."

The N&O asked the city for records of all residential lead tests since Jan. 1. Durham disclosed the results from hundreds of homes, but there was no record of samples from Morgan's house.

"I know I gave them two separate samples," Morgan said when told of the city's report. "I guess those bottles must have just disappeared off the face of the Earth."

The N&O hired Environmental Conservation Laboratories, a state-certified private lab in Cary, to test Morgan's tap water. According to the lab, a sample collected Nov. 6 from Morgan's home contained lead at 28 parts per billion -- nearly twice the federal limit.

Homeowners at eight other sites required to be tested also disputed the records Durham gave the state. City officials eventually disclosed that they took samples that were not reported, a violation of state and federal regulations.

The city said this week that it collected three samples from Morgan's home.

A sample collected July 1 contained lead at 167 parts per billion -- more than 11 times the safety limit.

A July 19 sample also tested well over the limit at 87 parts per billion.

The third sample, collected Aug. 25, tested below the safety limit at 4 parts per billion.

The law requires that Durham inform state regulators of any residential result over the lead limit and tell homeowners.

After the newspaper contacted Morgan in late October, he called the city to ask what happened to his samples. He said a technician told him his water was fine.

Last week, after the newspaper asked Durham officials about the missing samples, the city sent Morgan a letter disclosing that his home tested high for lead nearly six months earlier.

Rolan, the Durham water director, said this week that the city took samples at Morgan's home and six others on the compliance list in July and August.

The tests were part of a special study of sites where lead concentrations increased between the 2001 and 2004 samples. The city hoped to discover whether changes to the recipe of chemicals the city used to treat its water were decreasing lead leaching from plumbing.

These results were not disclosed to the state, Rolan said, because he and others in the city water department were unaware the law required them to. In addition, Rolan said they thought only samples collected in September, when Durham has traditionally conducted its testing, had to be included in the scoring.

The federal rules state that all samples collected between June 1 and Sept. 30 should be included, said Pierce, the state official.

### **More in Penrith**

Concern about high lead readings near where the child was poisoned in March prompted state regulators to require Durham to add 10 homes in the "Penrith Area" to its sampling pool.

Durham told the state it randomly selected the new sites by cutting a list of 59 homes into strips of paper and then having an office secretary draw 10 out of a hat. The city did not disclose that earlier in the summer it had already tested all 59. Some of the 10 homes selected were also far from the apartment complex — in one case more than seven miles distant.

"It is absolutely not the intent of the rules to prescreen compliance sites," Pierce said.

Three of the 10 selected homes tested over the federal limit in summer -- test results the city did not disclose to the state until this month.

One was a house at 5602 Lake Elton Road. Water collected in July contained lead at 161 parts per billion — more than 10 times the limit.

Homeowner Kim Mann said she was unaware of the result. City officials said last week they couldn't contact Mann because they could not find her phone number. They did not say why they didn't send her a letter or visit her home.

City officials said Mann failed to return samples for the September tests. She said that wasn't true.

"I was never contacted about being tested in September," Mann said. "I open all my mail -- even the credit card solicitations."

All told, the city failed to submit results for seven of the 10 "Penrith Area" sites, including two that tested high for lead. A third house that tested high in July was found below the limit in September. The city reported only the favorable result to the state. It did not report Mann's high test.

### **Long-standing rules**

Pierce, the state environmental health director, said the regulations Durham violated have been in place since federal legislation requiring lead testing was drafted 16 years ago.

In November 2004, after several large water systems nationwide were caught withholding bad results, the EPA issued a memorandum directing that all lead testing be disclosed to state authorities. The memo — available on the EPA's Internet site — also clarified how results should be scored for Safe Drinking Water Act compliance.

Westbrook, Durham's compliance manager, said the state sent a directive in March laying out many of the updated reporting standards, but she missed key requirements. As for the failure to notify residents of homes with tainted water, Westbrook said that so many homes tested high during the summer that some "fell through the cracks."

She could not say precisely how many families in the nearly 60 homes over the lead limit since June have not been notified.

Pierce said the city will likely be cited with regulatory reporting violations, which carry no penalty. More serious civil violations will be considered once the state's review of Durham's newly submitted results is complete, he said.

"We make an effort to educate water systems and remind them of these rules, but they still have an obligation to know what the rules are, with or without our prompting them," Pierce said. "Whether it is Durham or any other water system in the state, they should know what the rules are. Period."

(News researchers Brooke Cain, David Raynor and Paulette Stiles contributed to this report.)

**Staff writer Michael Biesecker can be reached at 956-2421 or [mbieseck@newsobserver.com](mailto:mbieseck@newsobserver.com).**

**News researchers Brooke Cain, David Raynor and Paulette Stiles contributed to this report.**

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enemies accuse us.

And yet the world as we know it—of fourth of July barbecues, announcement of an upcoming ABC reality show called "Wife Swap" and, yes, \$32,000 watches—continues. It makes me wonder: What does God think about this? About

See BRITT, B8, Col. 5

## EPA Concludes WASA Broke Federal Law

By CAROL D. LEONNIG  
Washington Post Staff Writer

The D.C. Water and Sewer Authority violated federal law by failing to properly notify the public of unsafe levels of lead in its drinking water and withholding key test results that would have revealed Washington's lead problem earlier, the U.S. Environmental Protection Agency said yesterday.

After a four-month investigation, the agency concluded that WASA violated the Safe Drinking Water Act in six categories and had detected high levels of lead in early 2001, a year before the utility notified the EPA that Washington's drinking water had unsafe lead levels.

"This was a serious breach of the protection under the Lead and Copper Rule," said Jon Capacasa, water chief for the EPA regional office that oversees the District. "It would have triggered the action level a year earlier and started the lead line replacement and other remedies a year earlier. . . . We are outraged that the data was not reported."

The EPA laid out its findings of violations in an administrative order, a compromise agreement that WASA signed and that carries no fines or sanctions. Under the order, WASA promised to remedy the

See LEAD, B4, Col. 1



BY GERALD MARTINEAU—THE WASHINGTON POST

EPA officials Jon Capacasa and Thomas C. Voltaggio discuss the District's lead problem during the investigation into the Water and Sewer Authority.



Officials look over the new wetland in the 115-acre restor

By ERIC M. WEISS  
Washington Post Staff Writer

A wetland restored to its Civil War-era condition was on public display yesterday at the Manassas Battlefield as National Park Service officials formally thanked the agency responsible for creating an authentic landscape on more than 100 acres.

In an unusual partnership, the Smithsonian Institution restored the area to make up for land it disturbed when building its National Air and Space Mu-

## Road Projects in N.Va. Delayed Again Because Of Budget Shortfalls

By CHRIS L. JENKINS  
Washington Post Staff Writer

RICHMOND, June 17--Motorists hoping for relief some of Northern Virginia's most congested roads will see it anytime soon after a state panel voted Thursday again delay the construction and maintenance of dozens transportation projects across the commonwealth.

The Commonwealth Transportation Board, during monthly meeting, approved a six-year plan that is \$1 billion less than the program approved last year, allowing for little or no new highway and road improvements. The cutbacks are generated by the rising costs of maintaining some of the state's roads while paying off the construction costs of others.

In addition, the General Assembly's recent decision to add money for transportation projects to the state's \$60 billion budget that will take effect July 1 has made funding such work difficult.

Instead, the plan approved Thursday allocates \$6.3 billion to study, design or build highway, rail and public transportation projects. The transportation program approved last year was \$7.4 billion.

The decreased funding means that planned road and r

See TRANSPORTATION, B5, Col. 5



# EPA Finds WASA Withheld Information on Lead

LEAD, From B1

lead corrosion problem with numerous actions, most of which are required by law or had been previously proposed or begun by WASA. If WASA does not fulfill the promises, the EPA can seek penalties in court.

The EPA could have sought to fine WASA as much as \$32,500 a day for each violation. Two elected officials yesterday called the order a toothless substitute. Washington's pervasive lead problem prompted angry demands from residents and elected officials and spurred congressional hearings and five investigations.

WASA officials did not admit or deny the violations in the agreement. General Manager Jerry N. Johnson instead pledged that WASA would do more than federal law required to address residents' concerns and to restore confidence in the utility.

"This order is basic common sense," Johnson said. "It's a way to move forward. We need to stop looking in the rearview mirror of who knew what when and start to focus on serving the residents of the District."

WASA first began finding high lead readings in water samples taken from homes in 2000 and officially exceeded the level the federal government considers safe in 2002. It found thousands of homes with elevated levels of lead in 2003. But most Washingtonians were unaware of the problem. WASA sent customers limited, vague information about lead levels and failed to notify many homeowners whose



Water and Sewer Authority General Manager Jerry N. Johnson calls the EPA order "a way to move forward."

water had high lead results.

The order ends months of legal finger-pointing between WASA and the EPA, its primary regulator, over which agency held more responsibility for the lead problem, which EPA officials described to Congress in March as the worst seen by regulators. The EPA notified WASA that month that it had found evidence of six violations in a cursory review, then ordered the authority to turn over thousands of pages of records and testing results dating back to 1994.

EPA officials said their most troubling discovery was that WASA officials withheld six crucial test results from customers' homes showing elevated lead levels in late 2000 and early 2001. If reported as legally required, EPA officials said, the results would have put Washington

over the federal action level, forcing WASA to address the lead problem.

The EPA also found that from 1998 to 2003, WASA was deficient by failing to conduct enough tests, to document why it selected different homes to test from year to year and to explain how its testing sites met federal standards.

WASA asserted that its water quality official, Seema Bhat, withheld test results only after consulting with her primary regulatory contact at EPA's Region III office, George Rizzo.

WASA fired Bhat in 2003, saying she failed to keep her bosses informed. She has sued WASA, arguing that she was fired because she repeatedly alerted EPA officials to rising lead levels in District water.

Bryan Schwartz, Bhat's attorney, said he found the violations the EPA cited puzzling. Bhat's suit has turned up extensive evidence that Rizzo regularly gave her guidance about and approved her sampling decisions.

"If they had a problem with the way she was conducting sampling, then what they're really saying they had a problem with [was] the way they were guiding her," Schwartz said.

Local officials and citizens debated whether the EPA had treated WASA's violations with enough severity or shouldered enough blame. Some believed the EPA should have issued fines or a more powerful emergency order to protect the public health.

"There's no question that EPA should have issued some fines and instilled some accountability," said D.C. Council member Adrian M.

Penty (D-Ward 4). "No one has been fired. No one has been penalized. . . . It gives the impression to the citizenry that you can make mistakes so grand they affect people's health and there are no consequences."

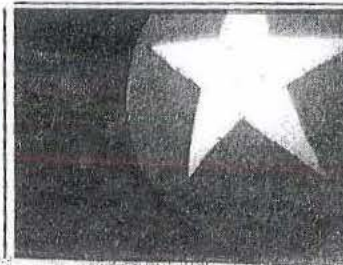
Johnson said he plans to go far beyond the order, speeding up replacement of lines, helping needy residents replace their portion of the line and hiring a lead coordinator.

D.C. Council member Carol Schwartz (R-At Large) accused EPA officials yesterday at a council hearing of focusing on WASA's violations and pretending to be tough with an order demanding remedies, most of which have already begun.

"What about your own dereliction of duty?" she said. "What corrective actions are you going to take?"

At the same hearing, officials with the Washington Aqueduct, which treats and supplies water for WASA, reported that treating a portion of the system with phosphate, which coats the pipes and reduces corrosion, is going well, with no reports of reddish water. The aqueduct hopes to start adding phosphates to the entire system Aug. 9.

Staff writers David Nakamura, D'Vera Cohn and Jo Becker contributed to this report.





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## Flushing Water Pipes 10 Minutes Cleanses Lead, WASA Affirms

### High Levels Reduced by 95%, Agency Says

By Craig Timberg and David Nakamura  
Washington Post Staff Writers  
Tuesday, March 9, 2004; Page B01

Recent tests at D.C. homes with high levels of lead contamination in the water showed that running the taps for 10 minutes eliminated 95 percent of the lead, rendering the water safe to drink in most cases, water authority officials said.

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The D.C. Water and Sewer Authority touted the results as evidence that its most recent recommendation about flushing water offered protection for homeowners, even those with unusually high levels.

WASA retested 96 homes with lead concentrations above 300 parts per billion, 20 times the Environmental Protection Agency's "action level."

"The flushing regime does in fact work," WASA General Manager Jerry N. Johnson said at a news conference at the John A. Wilson Building.

However, some uncertainty remains. In some of the 96 homes tested, running the taps did not lower the lead levels below the EPA threshold of 15 parts per billion.

WASA officials said they also plan to retest each of the city's elementary schools and any secondary school that houses programs for young children, such as Head Start. Libraries and recreation centers also are slated for testing.



enlarge photo

WASA's deputy general manager left, addresses concerns about board meeting last month. At right, Manager Jerry N. Johnson. (File Washington Post)

## Water-Related Resolutions District

### Blood Screening

The D.C. Department of Health will provide free blood screening for children younger than 6 but not yet 18 months and pregnant and women whose homes have high lead levels at the following sites:

• D.C. General, 1900 Massachusetts Ave. SE; 5 to 9 p.m. tomorrow.

• St. Mary's Center, 2333 Wisconsin Ave. NW; 5 to 9 p.m. today.

• Mount Bethel Baptist Church, 1400 Rhode Island Ave. NE; 9 a.m. to 1 p.m. today.

For more information on the program, call 202-671-0700 or [www.dchealth.dc.gov](http://www.dchealth.dc.gov).

### Water Tests



Critics questioned WASA's initial testing methods in the schools.

Running tap water for 10 minutes is supposed to draw water directly from water mains, flushing away water that has sat overnight in home pipes or service lines, leaching metals.

During WASA's test of homes with lead concentrations higher than 300 parts per billion, the median lead level after 10 minutes of running taps was 13 parts per billion. The highest number of the group was 65 parts per billion.

WASA spokeswoman Pat Wheeler said she did not know how many of the test homes had water that remained above the EPA limit of 15 parts per billion.

WASA and D.C. government officials have scrambled over the past six weeks to reassure residents and provide recommendations for protective measures after news reports revealed that thousands of homes across the city had elevated levels of lead. At first, they recommended flushing taps for one or two minutes but raised that to 10 minutes three weeks ago.

At least 157 homes with lead levels higher than 300 parts per billion have been of particular concern because commercially available home filters are incapable of removing lead at those concentrations, experts on filtration have said.

WASA has distributed 564 free filters to households with lead service lines where pregnant women, nursing women or children younger than 6 live. Officials intend to distribute thousands more.

The response by local and federal government agencies has drawn an angry response by some residents.

Yesterday, the law firm of Paul, Hastings, Janofsky & Walker filed a class-action suit in Superior Court against the D.C. government and WASA, alleging that officials concealed information about the lead problems from residents and failed to take adequate steps to protect public health.

The suit was filed on behalf of two District families whose houses have water that showed elevated levels of lead during WASA tests last summer.

At an afternoon news conference, Christopher A. Cole, one of the principal attorneys, said WASA was aware of the lead problems in 2001 but used improper methods to remain within federal guidelines.

"What would have happened if WASA had started in 2001 to take actions? We would not have a crisis now," Cole said.

"We wouldn't have had three more years of the lead leaching into the water."

Some city officials have pointed out that any monetary judgments on behalf of the plaintiffs would be paid by WASA, a quasi-independent agency whose funding comes from ratepayers -- in many cases the same people who stand to

The D.C. Water and Sewer encourages residents to collect water samples at the following locations:

- 301 Bryant St. NW; 24 hours a day, seven days a week.

- 810 First St. NE; 8 a.m. to 5 p.m. weekdays.

- Fort Reno Pumping Station, Donaldson Pl. NW; 7:30 a.m. to 3 p.m. weekdays and noon to 3 p.m. Saturdays.

- Blue Plains Wastewater Treatment Plant, 5000 Overlook Ave. SW; 24 hours a day, seven days a week.

- 125 O St. SE; 24 hours a day, seven days a week.

- Dalecarlia Water Treatment Plant, 5900 MacArthur Blvd. NW; 5 a.m. to 5 p.m. weekdays.

#### Water Filters

The D.C. Emergency Management Agency is distributing free filtration systems to families with children younger than 6 and nursing women whose homes have lead service lines at the following locations:

- Mount Bethel Baptist Church, Rhode Island Ave. NW, 9 p.m. today.

- St. Mary's Center, 2333 14th St. NW, 5 to 9 p.m. today.

#### General Questions

- WASA's lead hotline: 202-546-7000 or [www.dcwasa.com](http://www.dcwasa.com).

- D.C. government: 202-724-6000 or [www.dc.gov](http://www.dc.gov).

—Drinking Water  
Falls Church Tests for Lead in 1 Home (The Washington Post, Mar 9, 2004)

Officials Hid Facts On Lead in Water (The Washington Post, Mar 9, 2004)

Manager's Firing Defers Lead Problem (The Washington Post, Mar 9, 2004)

D.C. Handling Of Lead Problem Blasted on Hill (The Washington Post, Mar 6, 2004)



collect the money.

But Cole said that money might come through WASA's insurance or from profits the agency has made on water bills or from taxes on water assessed by the city.

Also yesterday, city health officials announced that 539 completed blood tests of adults and children across the District have revealed at least seven cases of elevated lead among children and adults.

None is a pregnant or nursing woman.

The most worrisome result, officials said, was from a 45-year-old woman who twice has tested far above the federal standard for adults of 25 micrograms per 0.1 liter of blood.

After her second test, of 62, officials arranged a doctor's appointment for her. She did not appear, said Thomas Calhoun, a city health official.

The woman also refused to allow an environmental test of her home. WASA records show that it has a copper service line, not lead.

Meanwhile, WASA officials plan new testing at the city's elementary schools and some secondary schools. Johnson, the general manager, said he did not know whether every water fountain and sink would be tested at the schools.

WASA's first round of testing at 154 D.C. public school buildings found that water samples at seven public schools had elevated lead levels.

Those results drew criticism from Mayor Anthony A. Williams (D) and others because WASA used a different testing method than typical for homes.

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## D.C. Handling Of Lead Issue Blasted on Hill EPA Threatens to Step In, Oversee Water System

By Carol D. Leonnig and Avram Goldstein  
Washington Post Staff Writers  
Saturday, March 6, 2004; Page A01

Federal officials yesterday described the levels of lead contamination in the District's drinking water as the worst seen by regulators and threatened to step in if local officials do not take immediate steps to protect the public.

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The assessment from two senior officials with the Environmental Protection Agency, delivered before the House Committee on Government Reform, represents the most direct response by the federal government in the five weeks since the public learned that thousands of households exceeded the federal lead limit last summer.

The testimony yesterday included dire assessments from experts who warned that immediate action must be taken to protect the public as well as sharp criticism of the EPA and the D.C. Water and Sewer Authority.

The federal government's aggressive posture on Capitol Hill represents a sudden shift in the response to the lead contamination, which was played down initially by WASA and the EPA. The federal agency in February described WASA's actions as following the letter of the law, but yesterday it said the utility may have violated rules by not properly informing the public of the threat to the water supply.


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Thomas Jacobus of the Washington Post and Jerry N. Johnson and Glenn S. the hearing (Photos Lucian Per Washington Post)

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Benjamin H. Grumbles, EPA's acting assistant administrator for water, was pressed by Rep. James P. Moran Jr. (D-Va.) to name a place where lead levels have registered as high as in Washington. "I don't know of any situation like this in the country, Grumbles said, adding, "Staff tell me there is more lead in EPA Superfund sites."

Donald S. Welsh, regional administrator of the EPA's Region III office in Philadelphia, ordered the District to take immediate steps to protect the public and gave city officials and WASA until Wednesday to provide a detailed plan for accomplishing the goal. The key requirements are that the city provide bottled water or water filters to the 23,000 D.C. homes with lead service lines; convey a sense of urgency to all D.C. residents about the health risks of their tap water; and speed up reporting of lead test results to homeowners.

"If we think their actions aren't appropriate to get a solution, we stand ready to exercise that authority at any moment," said Welsh, whose office oversees the District's water. The EPA last invoked that power in 1993 when the city water supply was contaminated with a harmful bacteria. It allows federal officials to order certain tasks, set deadlines and issue fines if compliance is not met.

Experts testifying before the committee urged other emergency measures, including wide-scale testing of lead in children's blood and an immediate halt to the replacement of lead service lines. The replacement is required by the EPA when lead levels exceed acceptable standards, but there is evidence that the process increases lead contamination.

"When we have hurricanes and floods, we take dramatic steps to ensure public safety," said Ellen K. Silbergeld, a Johns Hopkins University environmental epidemiologist who has reported irreversible damage in infants from short-term exposure to lead. "If the imminent and substantial endangerment posed here doesn't mean you should use your emergency authority, I don't know what does."

City officials, who at the onset described the lead contamination as a problem for WASA that would not involve the D.C. Health Department, yesterday found themselves singled out by the EPA as the party responsible for ensuring the new requirements are met.

City Administrator Robert C. Bobb said the city is "prepared to do whatever is necessary" to reduce public risk, including distributing bottled water to a larger group of residents who may be at risk of exposure and expanding tests for lead in children's blood.

But Bobb said there's no reason for EPA to exercise emergency powers. "There's nothing to demonstrate that we are incapable of managing this," he said. "The city's treating this with extraordinary urgency."

Rep. Thomas M. Davis III (R-Va.), the chairman of the House committee, and other members questioned how the three agencies responsible for assuring a safe water supply could have allowed toxic levels of lead to leach into the water

#### —Quick Lead Facts

• **How do I know if my water is contaminated?** Since you can't taste or smell lead, test it. Call WASA's hotline, 202-535-2626.

• **What are the health risks?** Levels of lead in the blood can damage the brain, nervous system, blood cells and kidneys. Children and pregnant women are most at risk. The D.C. Department of Health provides more information on lead testing; 202-535-2690 or 2626.

• **Is my health at risk?** If you have advised pregnant women or children under 6 in homes with lead pipes to stop drinking water immediately and to get tested.

• **How does lead get into the water?** Most contamination is from lead pipes in the home or lines that connect to public water.

• **What is the standard for lead in drinking water?** The government requires public water pipes when lead exceeds 15 parts per billion.

• **Do household water filters remove lead?** Some water pitcher filtration systems are certified to remove lead; others remove things but not lead. Read product labels and check its certification.

• **Complete Lead Q & A**

Source: *Water and Sewerage*  
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supply and then not inform the public about the threat. The three agencies are WASA, which serves 1 million customers in the District, Arlington and parts of Falls Church; the Washington Aqueduct, which operates two reservoirs and is owned by the Army Corps of Engineers; and the EPA, which enforces federal regulations.

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"What is most troubling is that mistakes in judgment and procedure were apparently made at every important juncture," said Del. Eleanor Holmes Norton (D-D.C.) "And any one of the three agencies could have caught the problem much earlier. All deferred to one another, creating an appearance of collusion and suppression of information."

Tony Bullock, the spokesman for Mayor Anthony A. Williams (D), said EPA officials helped create the city's lead problem by requiring a change in water treatment that some experts blame for the contamination.

"For that same agency to turn around and point out the inadequacies of our response to the crisis they helped create takes a certain level of chutzpah that is even remarkable for Washington," Bullock said after yesterday's hearing. "The mayor is none too pleased with the way the EPA is handling this. It's a classic exercise of the EPA covering its rear."

WASA first began finding high lead readings in water samples taken from homes in 2000 and officially exceeded the level the federal government considers safe in 2002. But most public officials and residents first learned of the problem when The Washington Post reported the elevated lead levels Jan. 31.

At the hearing, officials from WASA, the aqueduct and the EPA sometimes shifted responsibility to one another and gave conflicting accounts of the unfolding lead problem. For example, when panel members asked why WASA was able to invalidate some high-level samples in 2000 to avoid exceeding the federal lead standard, Welsh said the EPA never approved that action.

WASA deputy general manager, Michael Marcotte, responded by saying WASA's water quality manager threw out the tests in consultation with regional officials and that "should be no surprise to EPA."

Welsh, the regional official from the EPA, said WASA may have violated regulations by invalidating the test results. He said the office is also reviewing whether WASA violated the regulations with its "highly ineffective" public notification in 2002 when lead tests reached unsafe levels.

Norton said WASA placed its notice of lead problems in a small-print reference at the back of a brochure. WASA also deleted federally required phrases such as "health risk" and "unhealthy lead levels" that are supposed to ensure that residents understand lead poses a danger to humans, Norton said.

"This was clearly done deliberately," she told WASA officials. "You chose to do it in a way that was the least effective for people to know what was



happening."

WASA General Manager Jerry N. Johnson said he did not know why the notification was written in such a way.

"I take full responsibility," he said.

WASA Chairman Glenn S. Gerstell stressed that the aqueduct is responsible for keeping the water from becoming corrosive. Thomas Jacobus, the manager of the aqueduct, said the EPA approved the corrosion treatment.

Moran said Northern Virginia residents now have reason to doubt earlier government claims that their water was fine. He said hundreds of thousands of people in the region could have been drinking unsafe water for years.

Davis said: "I'm concerned about the potential magnitude of this public health crisis. And what are members of Congress supposed to tell the American people: 'Come to Washington, but don't drink the water?' "

*Staff writers D'Vera Cohn, Annie Gowen, David Nakamura and Craig Timberg contributed to this report.*

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## WSSC Mulls Moving Up Tests

### Agency Seeks to Reassure Customers After D.C. Problems

 By *Nelson Hernandez*

Washington Post Staff Writer

Saturday, March 6, 2004; Page B05

The Washington Suburban Sanitary Commission, which supplies drinking water to 1.6 million customers in Montgomery and Prince George's counties, is considering a round of lead tests to address public fears triggered by reports of contamination in the District and Arlington, a spokesman said yesterday.

As a member

The WSSC tested 55 homes in 2002, and recorded lead levels of up to 7 parts per billion, well below the Environmental Protection Agency's "action level" of 15 parts per billion. By comparison, lead levels in the District and Arlington have ranged into the thousands of parts per billion.

The WSSC's next round of EPA-mandated tests is scheduled for late this year or early next year. But the new tests, if ordered, would take place in the near future, possibly in the next few days, said utility spokesman Chuck Brown.

"We believe increasing the number and frequency of lead tests will provide more useful and perhaps more reassuring information from us to our customers," Brown said.

"We do believe this is the prudent and responsible thing to do in light of all these recent news events and reports from other local jurisdictions."

Unlike the D.C. Water and Sewer Authority, which has 23,000 lead service lines, the WSSC does not have any known lead lines in its system, Brown said.

—Correction

A March 6 Metro article implied that lead levels in water supply ranged into of parts per billion. The h recorded has been 342 p

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Instead, testing involves home plumbing, which before 1987 used a lead-based solder, now banned, to join copper pipes and brass plumbing fixtures.

A mineral coating naturally develops over the lead solder, Brown said, but the process takes some years.

As a result, the 2002 tests focused on homes built between 1983 and 1986. Homes built before 1983 have had time to develop the mineral coating, and those built after 1986 did not use the lead-based solder.

Also unlike WASA, the WSSC does not use chloramine to treat water. Some scientists have said that the chemical, a combination of chlorine and ammonia, could cause more corrosion to lead-bearing materials.

The EPA orders that utilities testing water quality allow the water to sit in the lines for at least six hours before testing it. The result is based on the quality of the water to first come out of the tap.

The WSSC follows this procedure, but recent test results in the District have found some of the highest levels of contamination in samples taken after the faucet had run for more than a minute. In light of this, the EPA's testing method could be revised in future tests. Brown said WSSC would take a close look at changing its procedures before any new testing.

"Before we would go out with any new type of sampling, we would consult with EPA based on all the information that's floating out there, and develop the best sampling technique we could," Brown said.

levels of lead in the blood damage the brain, nerve blood cells and kidneys. Pregnant women are most at risk. The D.C. Department of Health provides more information on testing; 202-535-2690 or 2626.

**Is my health at risk?** have advised pregnant women and children under 6 in homes with lead pipes to stop drinking water immediately and to test.

**How does lead get in?** Most contamination is from lead pipes in the home or lines that connect to public water.

**What is the standard in drinking water?** The government requires public water pipes when lead exceeds 15 parts per billion.

**Do household water filters lead?** Some water pitcher filtration systems are certified to remove lead, but not lead. Read product labels for certification.

**Complete Lead Q & A**

Source: Water and Sewer Quality Act

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## Officials Hid Facts On Lead, Suit Says D.C. Government, WASA Blamed

By David Nakamura  
Washington Post Staff Writer  
Monday, March 8, 2004; Page B01

A law firm intends to file a class-action suit today in Superior Court against the D.C. government and the city's Water and Sewer Authority, alleging that officials concealed information about lead contamination of drinking water and exposed residents to unnecessary health risks.

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This is the first class-action suit brought against the District and WASA since news that water in thousands of city homes tested above the federal lead limit was disclosed by The Washington Post in late January.

Lawyers said that the number of plaintiffs could total in the tens of thousands and that monetary damages, if the lawsuit is successful, could reach into the tens of millions of dollars.

"Nobody was really standing up for the residents," Chris Cole, one of the attorneys, said yesterday. "We felt independent and aggressive legal action

Attorneys in the D.C. office of Paul, Hastings, Janofsky & Walker said they will bring the suit on behalf of two Capitol Hill families whose water tested above the federal limit for lead. In the filing, attorneys will argue that WASA, a quasi-independent city agency, has known about the lead problem since 2001 but sought to conceal the findings from the public and took inadequate steps to protect residents.



Concerned about lead in Washington reporter interested in customizing your water at the Authority? Contact us at [dcwater@washpost.com](mailto:dcwater@washpost.com) or call 202-535-2690. We like to talk with a reporter about your name and phone number.

—Quick Lead Facts

**How do I know if my water is contaminated?** Since you can't taste or smell lead, test your water. Call WASA's hotline, 202-535-2690, or consult their map of approved water locations.

**What are the health risks of lead?** Levels of lead in the blood can damage the brain, nervous system, blood cells and kidneys. Children and pregnant women are most at risk. The D.C. Department of Health provides more information on testing; 202-535-2690 or 202-535-2626.

**Is my health at risk?** If you are pregnant or have advised pregnant women, contact the D.C. Department of Health at 202-535-2690.



could force changes in their response, which has been wholly inadequate thus far."

Cole, whose firm has 13 offices in the United States, Europe and Asia, said more details will be disclosed in a news conference at 1 p.m. today. He also said he has filed a notice of intent to begin a separate suit against WASA, the Environmental Protection Agency and the Army Corps of Engineers under the federal Safe Drinking Water Act.

Tony Bullock, spokesman for Mayor Anthony A. Williams (D), said yesterday that a lawsuit against the government is unwarranted.

"It's very clear that the District government is distinct from WASA and that we made every imaginable effort to respond quickly and objectively," Bullock said. "We were made aware of [the lead problem] when we read about it in the newspaper [in late January]. We could not advise people before we knew about it."

Bullock said that city officials "have done nothing but our best effort to respond to this evolving situation. . . . We've had something along the lines of 50 to 100 meetings, press conferences and other actions in the course of what amounts to 45 days."

A WASA spokeswoman, Pat Wheeler, said she could not comment on pending litigation.

One of the families named in the lawsuit is that of Pranav Badhwar and Ellen Shaw, who live on Capitol Hill with their 4-month-old daughter, Annika. Badhwar said they were alarmed to learn that WASA tests of their water in the fall showed lead levels of 310 parts per billion, well above the federal limit of 15 ppb.

Ingesting too much lead, from water or dust from lead paint, can cause serious damage to the brain, nervous system, kidneys and red blood cells. Doctors have said that pregnant women, nursing mothers and children younger than 6 are the most vulnerable.

"I'm perturbed. I'm anxious," Badhwar said yesterday. He said that WASA and the city were slow to react "given that this [lead problem] has been known about for some time."

The other family -- Amy Harding-Wright and husband, Alfonso Wright, who have a daughter Nina, 21/2 weeks old -- said their water had a lead level of 435 ppb.

"We did not get involved because we thought there would be any monetary benefit to us," Harding-Wright said. "We got involved because we feel like something needs to be done immediately, and it's not happening."

Cole said the lawsuit will be filed on behalf of pregnant women, parents and

children under 6 in homes services to stop drinking water immediately and to tests. (D.C. Health Advis

• **How does lead get in?** Most contamination is from lead pipes in the home or lines that connect to publ

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property owners whose homes have water with high lead levels. Attorneys will seek damages for WASA customers who have been exposed to unsafe water and who have incurred costs for filters, high water bills, replacement of lead service lines on private property and the flushing of taps.

Attorneys also will seek punitive damages, Cole said. He noted that city health officials issued an advisory last month for pregnant women, nursing mothers and young children to stop drinking unfiltered water if their homes have lead service lines.

"It's mind-boggling to us that the city could issue a health advisory . . . but not provide alternative sources of drinking water," Cole said.

Although the city and WASA have begun to offer free Brita water filters to residents, Cole said not all residents who have high lead levels have received the filters. He also said the filters are not guaranteed to work for water with lead levels above 150 ppb. At least 157 D.C. homes have been found to have levels above 300 ppb, according to WASA data.

Bullock said a lawsuit would drain time and money from the government's ability to manage the lead crisis. He emphasized that the government did not cause the problem because it is the Army Corps of Engineers, a federal agency, that operates the Washington Aqueduct and is responsible for treating water to keep it from corroding lead pipes and fixtures.

"We do not run the water plant," Bullock said. "We do not make the decisions about water chemistry. We did not create this problem. But we're doing our best to respond to it."

Meanwhile, D.C. Council member Carol Schwartz (R-At Large), who co-chairs an interagency task force managing the lead problem, said yesterday that she will call on WASA to discount monthly bills by 20 percent for customers whose homes are served by lead lines.

Those residents, Schwartz said in a news release, have wasted water by following a WASA recommendation to flush their taps for no less than 10 minutes before drawing water for drinking or cooking.

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# EPA Data On Water Purity Faulted

By DAVID NAKAMURA  
*Washington Post Staff Writer*

The U.S. Environmental Protection Agency has overstated the purity of the nation's drinking water in four recent years, potentially leaving millions of people at risk according to a new report.

From 1999 through 2002, the EPA announced that it met its goal that 91 percent of U.S. residents have access to safe tap water. But the data the EPA used to make those conclusions were "flawed and incomplete" because states did not report all violations to the federal agency, stated a report released this week by Kwai Chan, the EPA's assistant inspector general.

Despite that, the EPA trumpeted the inaccurate rates to the media, giving a false impression to the public, Chan said. The EPA's documents show that some agency officials believe that in 2002, only about 81 percent of the jurisdictions monitored had safe drinking water, far lower than the official agency estimate of 94 percent for that year. The lower number would put roughly 30 million additional people at potential risk.

Benjamin H. Grumbles, the EPA's acting assistant administrator for the office of water, acknowledged in a letter responding to the inspector general's report that the agency's records are incomplete. He said the EPA has been working hard to improve compliance in reporting from the states and has

See EPA, B4, Col 1



THE REGION

# EPA Has Overstated U.S. Drinking Water Quality, Report Finds

EPA, From B1

made some strides but still has a long way to go.

Grumbles wrote that the EPA was not trying to mislead or lie to the public with its reports but is simply "using the data that is available to us through the national reporting system."

Chan's report, based on an independent analysis that the inspector general's office began in June, was not prompted by the lead contamination of drinking water in the District. However, Chan's findings are important for the District because the city is one of two jurisdictions—Wyoming is the other—that reports water problems directly to the EPA. In all other areas, state governments have primacy in overseeing local water agencies, and the EPA oversees the states.

The EPA's oversight of the D.C. Water and Sewer Authority's handling of the District's lead contamination problems has been criticized by some local and federal leaders, who said the federal agency should have demanded that WASA provide more information to the public after the contamination was discovered two years ago.

A coalition of environmental groups met with high-level EPA officials yesterday and harshly criticized WASA, according to Darnell Smith, the meeting's chairman and executive director of the District-based National Black Environmental Justice Network. The coalition demanded that the EPA determine whether low-income communities have experienced worse lead contamination than other neighborhoods, he said.

"Our main message was that EPA has to take leadership in this situation," Smith said. "The mayor and the city council don't

have the authority to force WASA to do what it needs to do. It's EPA that has the power to do that."

Tom Voltaggio, EPA's deputy regional administrator, said that the meeting was "excellent" and that more meetings will follow. "We want to work with them and get their sense of where they think the best place to put our time and energy is," he said.

WASA officials announced yesterday that they intend to release today the results of hundreds of water tests conducted last month. The agency also said it has retested two D.C. homes where water showed the highest lead levels and found that the lead receded significantly after the taps were flushed for 10 minutes.

A house on Evars Street NE in the Bloomingdale neighborhood had lead levels as high as 48,000 parts per billion, well above the federal limit of 15 parts per billion. A house on Monroe Street NW had a level of 24,000 parts per billion. Retests recently showed that the Evars house had a level of 6.7 parts per billion and the Monroe house 5.5 parts per billion after the taps were flushed, WASA officials said.

WASA Deputy General Manager Michael Marcotte said the high readings at those houses probably were caused by partial lead service line replacements done by WASA at both houses last year. When lead lines are cut, the leaching of lead often increases because a protective coating of lime on the pipes can become dislodged, officials have said.

The EPA bases its statements about the quality of drinking water across the country on data collected by states from their utilities, which test for about 100 contaminants and pollutants, including lead, arsenic, industrial chemicals and fecal matter.

The EPA inspector general's report

states that the agency has a verification program in which it reviewed 71 water systems where safe drinking water violations were found. But of those, 17 had never been reported by the states to the EPA's safe drinking water information system, which is used to make the agency's official estimate of jurisdictions with safe water. With 54,000 water systems nationwide, it is difficult to determine just how many unreported violations take place each year, the inspector general's report said.

Cynthia Dotigherty, head of the EPA's safe drinking water program, said the EPA does not know "what the right number is. The only number we can use is what the states report. We have not figured out yet a good way to come up with a different number."

Erik Olson, an attorney for the Natural Resources Defense Council, an environmental group, believes that the EPA's regulatory system is "broken."

Federal authorities, he said, "don't even know the basic information about public water systems."

The lead contamination in D.C. tap water, Olson continued, is only "a very small part of the problem. There's a much more profound, serious problem they're trying to paper over."

EPA officials said they are implementing more training for state officials, simplified reporting formats and reduced complexity of federal rules. But Paul Schwartz, national policy coordinator for Clean Water Action, another environmental group, said the EPA is "not really getting in there and aggressively [monitoring] these states. The EPA has to take a far more proactive oversight role."

Staff writer Av Goldstein contributed to this report.

## Lead Testing and Filters

### Blood Screening

The D.C. Department of Health will provide free blood screening for children ages 6 months to 6 years and pregnant and nursing women whose homes have lead service lines. City officials have said that other residents who are concerned that they are at risk also may request a free screening. The screening sites:

■ Department of Health Lead Clinic, 51 N St. NE, walk in 9 a.m. to 4 p.m. today, or call for an appointment, 202-671-0733.

■ Trinity College, O'Connor Auditorium, 125 Michigan Ave. NE, 8:30 a.m. to 5 p.m. tomorrow.

■ La Clinica Del Pueblo, 2831 15th St. NW, 9 a.m. to 1 p.m. tomorrow.

■ Sacred Heart Church, 1621 Park Rd. NW, 11 a.m. to 3 p.m. Sunday. Various day-care centers also will provide tests today. For more information on the testing program, call 202-671-0733, or visit [www.dchealth.dc.gov](http://www.dchealth.dc.gov).

### Water Tests

Residents seeking to have their water tested should call the D.C. Water and Sewer Authority lead hotline, 202-787-2732, request a WASA test kit, follow the directions and then schedule a pickup for the test or drop it off at one of the following sites:

■ 301 Bryant St. NW; any time.

■ 810 First St. NE; 8 a.m. to 4 p.m. weekdays.

■ Fort Reno pumping station, 3900 Donaldson Pl. NW; 7:30 a.m. to 4 p.m. weekdays and noon to 3 p.m. Saturdays.

■ Blue Plains wastewater treatment plant, 5000 Overlook Ave. SW; any time.

■ 125 O St. SE; any time.

■ Dalecarlia water treatment plant, 5900 MacArthur Blvd. NW; 7 a.m. to 7 p.m. weekdays.

### Water Filters

The D.C. Emergency Management Agency is distributing free water pitcher filtration systems to families with children younger than 6 and to pregnant and nursing women whose homes have lead service lines. To receive a pitcher, residents should bring proof of address to one of the following sites:

■ Department of Health Lead Clinic, 51 N St. NE, 9 a.m. to 4 p.m. weekdays.

■ Trinity College, O'Connor Auditorium, 125 Michigan Ave. NE, 8:30 a.m. to 5 p.m. tomorrow.

■ Sacred Heart Church, 1621 Park Rd. NW, 11 a.m. to 3 p.m. Sunday.

### General Questions

■ WASA's lead hotline: 202-787-2732 or [www.dcwasa.com](http://www.dcwasa.com).

■ D.C. government: 202-727-1000 or [www.dcgov](http://www.dcgov).



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## D.C. Lead Tests Cast Doubt on EPA Standards

By Carol D. Leonnig and D'Vera Cohn

Washington Post Staff Writers

Friday, March 5, 2004; Page A 01

The severity of lead contamination in the District's water reveals serious weaknesses in the federal testing program and raises the prospect that other cities may have similar, undiscovered problems, according to federal officials, scientists and engineers.

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to lead, also assume that problems are most likely to be found in older homes with lead service lines. But high lead content has been discovered in water samples taken from homes that do not have lead service lines in Arlington and in the District.

"This incident has proven that many of EPA's key assumptions are wrong," said Marc Edwards, a lead corrosion expert from Virginia Tech in Blacksburg, who will testify today at a Capitol Hill hearing on how government agencies handled local drinking water safety.

The EPA's acting assistant administrator for water, Benjamin H. Grumbles, also

Environmental Protection Agency tests rely on water samples taken when a faucet is opened. But the D.C. Water and Sewer Authority found some of the highest levels of contamination in samples taken after the faucet had run for more than a minute, according to an analysis of more than 6,000 samples taken last summer.

The EPA rules, enacted in 1991 to reduce the public's exposure



Thomas P. Jacobus, center, and Ricky R. of the EPA drinking water protection unit testified before a D.C. Council last week. (Robert A. Reeder - Post)

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is scheduled to testify and will discuss what the agency is doing to address lead contamination, said Cynthia Bergman, an agency spokeswoman.

Water quality experts and EPA officials, who asked not to be named because of agency rules and possible retribution, said they fear what lead problems may lurk in other cities and agree that it is time to revamp the tests.

The EPA is examining its rules to see if they need to be modified. "We are in the process of reviewing existing requirements of the rule and associated guidance to determine whether it is appropriate to make changes," Bergman said.

WASA's more extensive testing, conducted last year, was done under a federal provision that allows utilities to expand sampling, so they can find low lead levels and avoid an expensive federal requirement to replace lead service lines. But the effort backfired, and very high levels were found.

A Washington Post analysis of WASA's expanded test results found that after faucets had run for a few more minutes, lead levels were higher than when faucets were turned on.

The EPA considers a city to have unsafe lead levels in its water supply if more than 10 percent of the test samples exceed 15 parts per billion of lead.

"I fervently hope that this is an isolated incident that was not repeated at other utilities," said Edwards. "Unfortunately, considering the holes in the [EPA testing], it is actually very likely that problems did occur in many instances and we simply did not know it."

WASA officials initially speculated that lead levels were higher in the second samples because residents conducted the tests improperly. But after examining the data further, they said the higher levels were caused by leaching in lead service lines maintained by the agency.

A committee of scientists is puzzling over why lead levels rose sharply in the last two years in the water supply, which is treated by the Washington Aqueduct, and distributed to more than 1 million people by WASA and Virginia communities. One leading theory is that methods the aqueduct is using to control the water's ability to corrode lead are not working and that the water chemistry may have been upset by a switch to chloramine, a chemical disinfectant.

Arlington this week learned that toxic levels of lead can lurk in newer homes and homes without lead service pipes. Results from four Arlington homes built in the 1970s and 1980s and one built more recently exceeded the federal standard.

The EPA rules continue to emphasize testing older homes with lead service lines, even as research over the past 15 years has found that significant lead can leach from newer plumbing fixtures. Many are made of brass, and even those

drinking water with high lead levels can cause other problems. Please e-mail [dcwater@washpost.com](mailto:dcwater@washpost.com) if you like to talk with a reporter about your name and phone number.

#### —Quick Lead Facts—

- **How do I know if my water is contaminated?** Since you can't taste or smell lead, testing is the only way to know. Call WASA's hotline, 202-535-2690 or 202-535-2626.
- **What are the health risks of lead?** Lead levels of lead in the blood can damage the brain, nervous system, blood cells and kidneys. For pregnant women are most at risk. The D.C. Department of Health can provide more information on lead testing; 202-535-2690 or 202-535-2626.
- **Is my health at risk?** If you have advised pregnant women, children under 6 in homes with lead pipes, services to stop drinking water immediately and to get tested.
- **How does lead get into the water?** Most contamination is from lead pipes in the home or lines that connect to public water.
- **What is the standard for lead in drinking water?** The government requires cities to replace pipes when lead exceeds 15 parts per billion.
- **Do household water filters remove lead?** Some water pitcher filtration systems are certified to remove lead; others remove things like chlorine but not lead. Read product labels and check its certification.
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labeled lead-free can contain up to 7 percent lead.

Rep. Henry A. Waxman (D-Calif.), who said the lead requirements were too weak when they were implemented in 1991, said yesterday that "it's no surprise" the EPA tests didn't catch the seriousness of the D.C. problem.

"D.C. could be the canary in the coal mine for a broader national lead contamination problem," Waxman said in a statement. "EPA must require sufficient testing and reporting to tell us accurately whether lead levels in drinking water are affecting children's health across this country."

Christopher Hawthorne, president of WASA's water workers union, said the agency should test all types of houses, including those with copper service lines. Hawthorne said the 125,000 brass water meters that were installed at customers' houses over the last few years could leach lead, even though WASA officials say that is not a problem.

Hawthorne said the addition of chloramine in 2000 could have made the water scour lead off many fixtures. "They should test every house in the District," he said. "The reason is because the chloramine -- it's like a sapper. It saps the lead out of anything, including brass."

A report by the Environmental Quality Institute at the University of North Carolina at Asheville found that brass curb valves and water meters in the Los Angeles water system discharged enough lead -- even after two years in service -- to "cause significant exposures, measurable increases in blood lead levels and IQ deficits among Los Angeles school children." That finding helped persuade the city's water system to begin purchasing only no-lead parts.

"I would say the most concerning part of the story is most of the water systems themselves are still putting leaded brass parts in front of people's homes," said Richard P. Maas, the institute's co-director. "Those new leaded brass water meters and parts that are put in today are going to be there for the next 40 years."

Edwards, who was hired by the EPA to study the D.C. lead problem, said his tests last spring showed two disturbing facts. First, he found persistently high levels of lead after flushing the tap for several minutes, suggesting that the corrosion was farther away from the tap and closer to the water main, where the EPA doesn't test. Second, a D.C. home he tested without a lead service line had lead levels of more than 150 parts per billion.

This week, Mayor Anthony A. Williams (D) urged WASA to expand its water tests to houses with copper service lines and said the discovery of lead in Arlington homes "raises questions about whether or not the assumptions we've been operating under . . . are good assumptions. . . . The problem may be affecting more than just the 23,000 homes [with lead service lines] that were previously identified."

But yesterday, Glenn S. Gerstell, the chairman of WASA's 11-member board of

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directors, said that he has not ordered General Manager Jerry N. Johnson to expand testing.

"My understanding, from what I've heard from the experts upon whom we rely, is that they're focusing on homes with lead services lines," Gerstell said at a news conference. "I know the board would be supportive of a wider sampling program, if the engineers and scientists recommend that."

Jack Hoffbuhr, executive director of the American Water Works Association, the water utility industry group, said the District's experience could prompt the EPA to review how water utilities test lead levels.

"We do need to learn from this and really study this situation and see if changes are needed in the protocol we are using," he said. "If we can learn from this to protect public health better, that's what we need to do."

*Database editor Sarah Cohen, staff writers David Nakamura and Craig Timberg, and researcher Bobby Pratt contributed to this report.*

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## WASA Criticized Over Lead Response

By Derrill Holly

Associated Press

Friday, March 5, 2004; 3:58 PM

Federal officials took the city's water authority to task Friday for its handling of the lead in tap water issue. The criticism came as another suburb began testing its water.

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"It's clear that the (District of Columbia) Water and Sewer Authority was highly ineffective at informing the public of the magnitude of the problem," Donald Welsh, regional administrator of the U.S. Environmental Protection Agency, told a congressional hearing. The EPA has now ordered WASA to test all of its lead service lines.

WASA has also been instructed to provide faster, more urgent

notification to customers of the results of water testing. WASA came under criticism for placing lead warnings in a little-read newsletter enclosed in bills.

City Administrator Robert Bobb said Friday that Mayor Anthony A. Williams formally directed WASA to execute the actions outlined in a letter from the EPA, and the mayor sent a letter to EPA stating that.

"We're doing everything that EPA outlines in its letter perhaps with one major exception," Bobb said. That exception is that the city has not yet provided an interim alternate supply of drinking water or filters to the 23,000 homes believed to have lead service lines. Bobb said that should be rectified over the next 30 days.

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- damage the brain, nervou
- blood cells and kidneys. C
- pregnant women are mos
- The D.C. Department of
- provide more information
- testing; 202-535-2690 or



The District gets drinking water from the Washington Aqueduct, which also supplies Arlington County, Va., where elevated lead levels turned up in tests on five homes. But while an estimated 20 percent of WASA's 130,000 service lines contain lead, none of the Arlington homes use lead lines – leaving a mystery as to how lead got into the water. An official from the Army Corps of Engineers, which runs the aqueduct, told the hearing the corps doesn't think it is related to a Nov. 2000 switch in water purification methods.

The Washington Aqueduct also serves the City of Falls Church, Va., where on Friday officials began testing 30 of 50 homes that have been in their quality compliance program previously. Samples from the first 15 were analyzed immediately.

"We had very low lead levels from those tests," said Robert J. Etris, director of public utilities for the city. Falls Church crews conducted 15 additional tests Friday, and planned to begin testing water at about 40 public and private schools next week.

In early 2001, tests began determining lead levels exceeding 15 parts per billion in thousands of homes served by lead service lines in the district. The 15 ppb is an action level established by the EPA, which triggered the need for WASA to take certain steps including stepped up testing, consumer notification and line replacements.

WASA chairman Glenn S. Gerstell said he is certain the lead leaching into the tap water is not originating in WASA's mains.

"I want to know whether D.C. is a canary in a coal mine," said Rep. Chris Van Hollen, D-Md., raising the question that other communities around the country may be experiencing similar problems.

"We don't see it as a national crisis at this point," said Benjamin H. Grumbles, acting assistant administrator at the EPA Office of Water.

"People need to know if their water is safe, and if not, what is being done to make it safe," said Rep. Tom Davis, R-Va., chair of the House Government Reform Committee. "Somewhere between the source and the spigot, something's going wrong."

*Associated Press Writer Chevetta Gilmore contributed to this report.*

2626.

• **Is my health at risk?** have advised pregnant women and children under 6 in homes with lead pipes to stop drinking water immediately and to get blood lead tests.

• **How does lead get into the water?** Most contamination is from lead pipes in the home or lines that connect to public water.

• **What is the standard in drinking water?** The government requires cities to replace pipes when lead exceeds 15 parts per billion.

• **Do household water filters help?** Some water pitcher filtration systems are certified to remove lead; others remove only chlorine but not lead. Read product labels and check its certification.

• **Complete Lead Q & A**

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# es WASA Communication Problems

is planned for Aug. 9.

The Covington & Burling report deals with both the period before WASA officially reported excessive lead problems to the EPA in August 2002 and the aftermath.

The first section sheds new light on how WASA and the EPA allegedly mishandled information that could have revealed a lead problem a year earlier.

In 2001, WASA's water quality manager, Seema S. Bhat, sent an e-mail informing her superiors and her EPA liaison, George Rizzo, that an initial round of tests during the

2000-01 sampling period showed that WASA had exceeded the lead action level.

Bhat then retested several houses and substituted some results, after which WASA declared itself in compliance with EPA rules.

Substituting lead test results without federal permission is against the law. Bhat has said Rizzo approved her actions, but the EPA disputes her assertion. Holder's team said it found no evidence that the EPA signed off on Bhat's actions.

Bhat later fired an aide, Jerome Krough, who responded by telling

the D.C. inspector general that he believed that Bhat had improperly invalidated test results.

The D.C. inspector general enlisted the help of the EPA's inspector general and launched an investigation, the Holder report states. After more than a year, however, the investigation was closed in December 2002 with no finding of fault. Last month, the EPA ruled that WASA had improperly invalidated several tests.

Marcotte and Kofi Boateng, Bhat's direct supervisor, have said that Bhat, who was fired in 2003, did

not fully inform them about the excessive levels of lead in the water in 2001. They were informed by August 2002, when they notified the EPA that WASA exceeded the lead level in the 2001-02 testing period.

In the second section of the report, Holder's team confirms findings by EPA investigators that WASA avoided using some federally mandated language in brochures and public service announcements about the lead problem.

But the report also blames the EPA for giving WASA conflicting guidance and signing off on many steps the agency took to inform the public and solve the lead problem.

As for the D.C. Department of Health, which WASA's Johnson



General Manager Jerry N. Johnson is among those criticized in the report.

asked for assistance, the report says that "these requests for help were met with slow response time from DOH or were not met with any response at all."

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|                   |                      | 1               |
|                   |                      | 148             |
|                   |                      | 10              |
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| Full Name | Address | County | Phone |
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#### ADDITIONAL PERSONAL INFORMATION

| SSN | DOB | GENDER |
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#### Name Variations

#### SSNs Summary

| # SSN | State Iss. | Date Iss. | Warnings |
|-------|------------|-----------|----------|
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Exemptions (b)(5), (b)(6), (b)(7)(C)